

Dolores Land Use Code Update 2021

ADOPTION REVIEW DRAFT DECEMBER 2021

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About this Project

- Project kick-off in November 2019 included two days of stakeholder and public meetings with the following groups:
 - Chamber/Downtown/Business Owners
 - Town Building Inspector and Attorney
 - Real Estate/Contractor/ Surveyor/Builders
 - Town Staff
 - County/State/Federal/School
 - Artisan/Craft/Light Industry Businesses
 - Restaurants/Lodging
 - Board of Trustees and General Public
- P&Z has devoted more than 50 meetings to reviewing each section of the draft LUC. All P&Z meetings have been open to the public.
- The Board has adopted new Short-Term Rental regulations that were a spin-off of the LUC project.
- The updated marijuana regulations were drafted in conjunction with the LUC update.

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Key Issues for LUC Update

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

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

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Ideas for Further Consideration

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

1. Establishing flexible site standards for infill development and complex sites.
2. Identifying a sliding scale approach to nonconformities that recognizes the long-term continued use of some nonconforming uses and structures.
3. Placing greater emphasis on code enforcement.
4. Thinking about the role of technology in future land use development.
5. Increasing environmental stewardship and developing standards that reflect Dolores as an eco-friendly community.

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Housekeeping

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

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

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Article 1: General Provisions

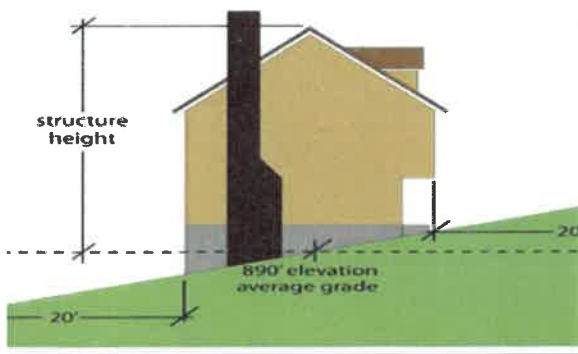
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General Provisions Overview

1. Legal provisions
2. Authority to establish fees
3. Transitional provisions – how the Town will process any application that is in process when the LUC is adopted

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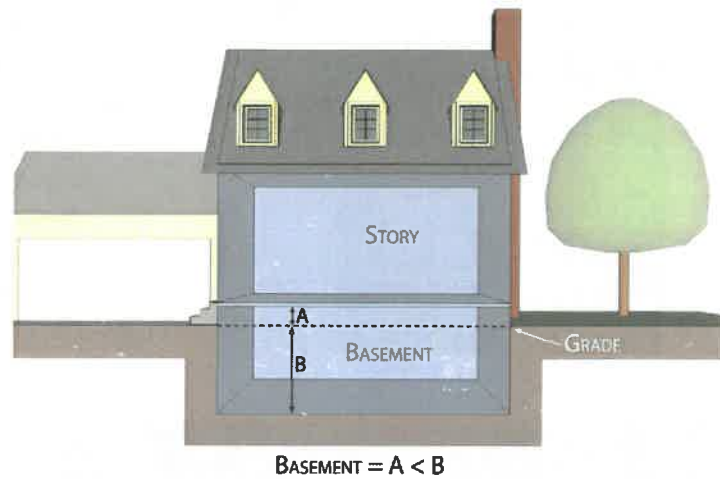


Article 2: Measurements, Definitions, and Interpretations

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Measurements & Definitions Purposes

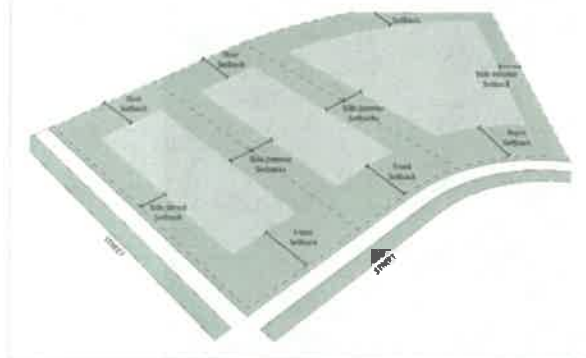
- Define specific terms used in the LUC
- Establish rules for interpretation of terms
- Establish consistent methods of measurement to use with regulations that require measurement



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Measurements & Definitions Overview

1. Rules of Construction for LUC terms
2. Process to interpret the LUC
3. Measurements
4. Definitions



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

Article 3: Zone Districts

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Zoning Districts: Purposes

- Support existing residential and commercial development patterns and investments
- Consider how new development can take place in Dolores in ways that work with existing development
- Allow for more housing choices
- Incorporate important quality-of-life features, such as parks and open spaces
- Limit or eliminate the creation of nonconformities

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Zone Districts Overview

UPDATES

- Smaller large lot residential district (LLR-2)
- Minimum lot size adjustments
- Districts renamed to better reflect locations and uses
- Updated purpose statements to help with district applicability
- Downtown design standards (had been incorporated into marijuana update)
- P1 for open space, P2 for public, civic, and institutional uses
- Complete industrial district

CARRY FORWARD

- Resource districts (R-35 and R-10)
- Current large lot residential (LLR)
- Manufactured home park (MHP)
- CB-1 and CB-2 carried forward and combined as Downtown Mixed-Use (DMU)
- PUD Planned Unit Development

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Zone District Changes

- Drafting approach:
 - When regulations are specific to a zone district, the regulations are included in that district,
 - When regulations are specific to a topic (such as use, design, infrastructure), they are located with that topic
- Minimum lot size adjustments / new zone districts
 - Makes current lots conforming
 - Allows for large lot splits to create more housing
- General design standards relocated to Article 5: Site Layout and Structure Design Standards
- Dimensional standards moved to tables for ease of understanding

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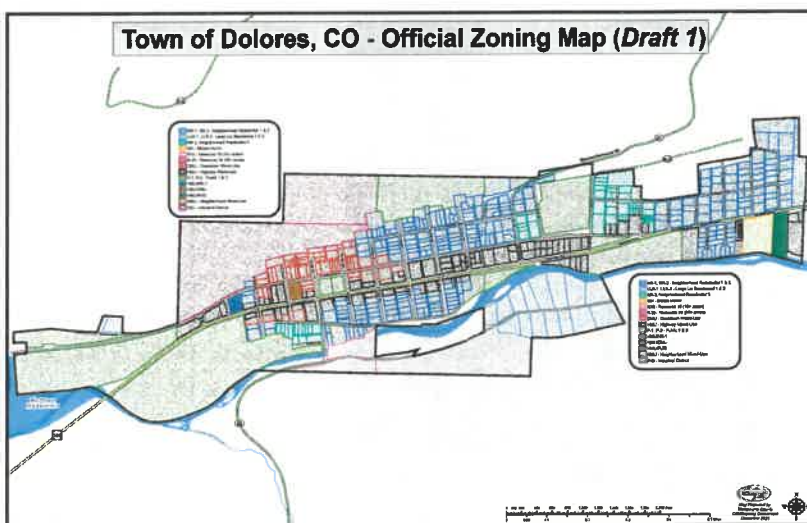
Housing Updates

- Purpose: allow more housing choice in Dolores with the goals of providing a range of housing prices and options
- Housing changes list suggested by DOLA
- Updates:
 - Allow two-unit dwellings in all residential districts
 - Slightly increased the maximum lot coverage (from 60 to 70%) in districts where townhomes and multifamily are allowed
 - Slightly reduced the minimum area per dwelling unit from 900 to 800
 - Clarified where residential uses are allowed in mixed-use structures (e.g., apartments are allowed on the second story or behind the front 30% of the storefront retail use)
 - Two-unit structures permitted in all residential districts
 - Townhomes and multifamily dwellings allowed in single-family districts where one unit of affordable housing is provided.
 - Clarification that ADUs can be as small as allowed by Building Code
 - Parking reductions for affordable housing

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Zoning Map Purpose

- Identify how the Town is divided into different zone districts
- Identify the locations of zone district boundaries



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Article 4: Use Standards



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Use Standards Purposes

- Identify:
 - Which uses are allowed
 - In which zone districts
 - With or without use-specific standards
- Establish standards that allow some uses to be approved administratively
- Establish standards that inform property owners what conditions will be placed on their use
- Incorporate a process to interpret most new uses into the LUC
- Address non-primary uses: accessory and temporary

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Use-Specific Standards Overview

UPDATES

- New zone districts included in use table
- Use table interpretation process
- Solar/wind energy and heat pump standards
- New accessory use standards:
 - ADUs
 - Community gardens
 - Drive-thrus
- New temporary use standards

CARRY FORWARD

- Use table, updated and organized by category
- Use-specific standards, organized by type
- Accessory uses, moved to table
- Design standards, moved to Article 5

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Article 5: Site Layout and Structure Design



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Article 5 Content

1. Residential Design Standards
2. Mixed-use And Commercial Design Standards
3. Neighborhood Manners – Residential Adjacency
4. Generally Applicable Structure Design Standards
5. Sidewalks and Pathways
6. Alley Easements
7. Drainage
8. Traffic Impact Analysis

Purposes:

- Ensure that new structures and redevelopment meet minimum design requirements
- Identify basic building materials that work in Dolores' climate
- Keep the community walkable and bike rideable
- Ensure that new development and redevelopment do not contribute to drainage problems
- Understand the traffic impacts created by new development and redevelopment

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Site Layout and Structure Design

UPDATES

- New, basic design standards added for:
 - Townhomes and multifamily
 - Mixed-use and commercial
 - Non-residential next to residential
- Adequate drainage and drainage study required
- Traffic impact analysis for large projects or problem traffic areas

CARRY FORWARD

- Residential design standards revised to reflect eclectic Dolores style
- Materials standards, refined for Dolores
- Sidewalks on both sides of all public streets



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Subdivision Standards Content

1. Subdivision layout and design
2. Building lots
3. Streets and alleys
4. Sidewalks and pathways
5. Easements
6. Public land dedication
7. Water supply
8. Sanitation
9. Underground utilities
10. Mandatory HOA
11. Condominium subdivisions

Purposes:

- To protect and to provide for the public health, safety and general welfare of present and future residents of the Town;
- To guide the future growth and development of the Town in accordance with the Comprehensive Plan and other adopted plans and policies;
- To ensure provision of adequate public facilities and services for subdivisions;
- To provide for the coordinated development of adjoining properties to the benefits of future residents and the general public.
- To provide for optimum traffic circulation within the subdivision and throughout the Town;
- To ensure protection, sound use and management of natural resources and open spaces through sound development design practices;
- 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.

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Subdivision Standards

UPDATES

- Limitation on subdivision in areas with natural hazards
- Requirement that adjoining subdivisions be designed to allow connected streets, sidewalks, and infrastructure

CARRY FORWARD

- Building lots
- Streets and alleys
- Sidewalks and pathways
- Easements
- Public land dedication
- Infrastructure and utilities
- HOA
- Standards for condominium subdivisions

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Article 7: Landscaping, Screening, and Trees



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Landscaping, Screening & Trees Content

1. Purpose
2. Applicability
3. Landscaping
4. Materials, Installation, and Maintenance
5. Screening
6. Fences and Walls
7. Tree Preservation
8. Removal of Dead, Diseased, or Dangerous Trees

Purposes

- Enhancing the appearance of all development by providing standards for the quality, quantity, and functional aspects of landscaping and buffering.
- 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;
- 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;
- Encouraging the replanting of trees and vegetation lost to land development activity to provide heat abatement, wind deflection, and support and increase property values;
- Improving the quality and diversity of plant and tree selection through the implementation of landscape standards and specifications;
- Encouraging the creation of an attractive appearance along streets and by screening from view those uses that may be unattractive to public view;
- 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.

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Landscaping, Screening & Trees

UPDATES

- Purposes revised to reflect water conservation, stormwater mitigation, impact of trees, support of property values
- Plant materials selection is now Southwestern Colorado appropriate
- Street front landscaping reduced from full yard to first 10 feet
- Bufferyards required to screen new non-residential development
- Parking lot landscaping for lots with >10 spaces

CARRY FORWARD

- Property owner designs landscaping
- Single family and existing development exempt
- Landscaping required on front/side streets with one tree per yard
- Outdoor storage and roof mounted equipment needs to be screened
- Existing trees protected
- Landscaping must be maintained

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Article 8: Parking, Loading, and Access

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Parking, Loading, and Access Content

1. Purpose
2. Applicability
3. Computing Parking
4. Off-Street Parking Requirements
5. Off-Site Parking
6. Shared parking
7. Parking Lot Design and Layout
8. Access Standards

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.

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Parking, Loading, and Access

UPDATES

- Sliding applicability
- Modifications for constrained sites
- Full set of off-street parking standards
- Clarified application of accessible parking
- Standards for off-site (nearby) parking
- Standards for shared parking (two adjacent uses)

CARRY FORWARD

- No parking required Downtown
- Parking lot design standards
- Access standards



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Article 9: Hazards and Environmentally Sensitive Areas

INCLUDED IN FIRST ROUND ADOPTION

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Contents

1. Geologic Hazards
2. Ridgeline Hazard Standards
3. Hillside Development Standards
4. Grading and Erosion Control Permit
5. Flood Hazard Regulations
6. Riparian Buffer Standards
7. Wildfire Hazard Study

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Overview

UPDATES

- Geologic Hazard Evaluation established for development on steep slopes
- Hillside development standards – grading and erosion standards for development on slopes (when allowed), includes standards for streets and roads built on slopes over 15%
- Grading and Erosion Control Permit established
- Riparian buffer standards to maintain natural areas around streams
- Wildfire Hazard Study established for development within moderate, high, or highest wildfire areas

CARRY FORWARD

- 1041 Areas of State and Local Interest
- Ridgeline hazard standards for future construction on the mesa

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Article 10: Outdoor Lighting



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Outdoor Lighting Content

1. Purposes
2. Applicability
3. Fixture Types
4. Measurement at Property Line
5. Generally Applicable Outdoor Lighting Design Standards
6. Design Standards for Lighting Outdoor Uses
7. Lighting Curfew
8. Deviations
9. Exemptions

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
- G. 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.

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Outdoor Lighting

UPDATES

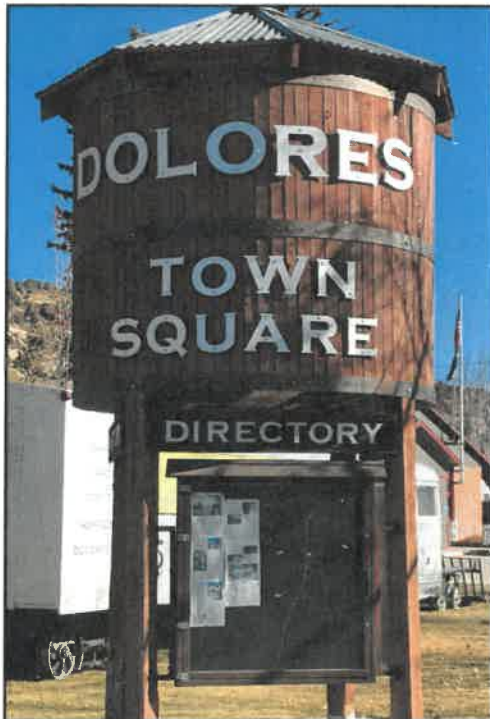
- Standards for ground-level lighting
- Clarified measurement for light trespass
- Standards for lighting outdoor uses
- Established lighting curfew
- Identified specific exemptions

CARRY FORWARD

- Dark-skies/cutoff fixture requirements
- Deviations for unique circumstances



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Article 11: Signs

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Signs Content

1. General Provisions
2. Applicability and Permit Requirements
3. Prohibited Signs and Sign Locations
4. Permitted Permanent Signs
5. Historic Replica Signs
6. Illumination
7. Temporary Signs
8. Abandonment and Removal

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:

- A. 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,
- B. To support existing and future business ventures within the Town of Dolores;
- C. For the protection and encouragement of local tourist-related businesses for the general economic well being of Dolores;
- D. To preserve the value of private property by assuring compatibility of signage with surrounding land uses;
- E. To provide a sign code compatible with the Vision Statement of the Dolores Comprehensive Plan;
- F. To establish procedures and regulations which control the location, size, type, and number of signs permitted; and
- G. To provide an equitable mechanism whereby signs which are illegal or abandoned can be removed.

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Signs

UPDATES

- Clarified sign types that do not require permits
- Identified prohibited types of signs and sign locations
- Recommends sticker system for temporary signs to allow Town to identify expired signs
- Revised definitions and clarified measurements

CARRY FORWARD

- Amount of signage and types of signs allowed in each zone district
- Limits on sign lighting (illumination)



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Article 12: Nonconformities

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Nonconformities Content

1. Purpose
2. Applicability
3. Nonconforming Status
4. Nonconforming Uses
5. Nonconforming Structures
6. Nonconforming Lots
7. Nonconforming Signs

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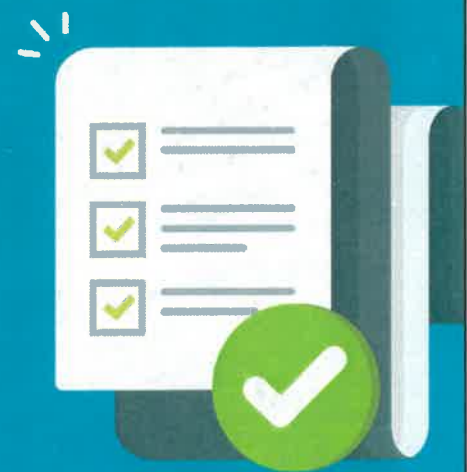
Article 13: Administration and Procedures

INCLUDED IN FIRST ROUND ADOPTION

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Administration and Procedures Contents

1. Review and Decision-Making Bodies
2. Administrative Officials
3. Summary Table of Review Authority
4. General Procedures
5. Specific Procedures



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Overview

UPDATES

- Common procedures described to help applicants understand all steps in a process
- Summary table of review steps
- New procedures/permits:
 - Administrative Adjustment
 - Grading and Erosion Control Permit
 - Location and Extent Review
 - Conservation Subdivision
 - Short-Term Rental Regulations
 - Site Plan
 - Solar and Wind Energy Facilities Permitting

CARRY FORWARD

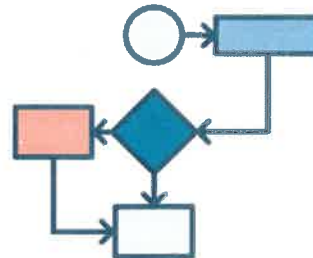
- Current specific procedures
 - Appeal of Administrative Decisions
 - Comprehensive Plan Amendment
 - Conditional Use Permit
 - Historic Preservation
 - Land Use Code Interpretation
 - Minor Subdivision Plat
 - Major Subdivision Plat
 - Condo/Townhouse Subdivision
 - Planned Unit Development
 - Sign Permit
 - Special Exceptions
 - Temporary Use Permit
 - Variances
 - Vested Rights
 - Zoning Development Permit
 - Zoning Map and Land Use Code Text Amendments

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General Procedures

Purpose: Describe how project and permit applications are submitted, reviewed, decided-on, and appealed.

1. Pre-Application Meeting
2. Submit Application
3. Staff Review and Report
4. Recommendation
5. Decision/Hearing
6. Post-Decision Actions
7. Public Notice Requirements
8. Appeal



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Article 14: Violations, Enforcement, and Penalties

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Violations, Enforcement, and Penalties

1. General
2. Specific Violations
3. Complaint
4. Enforcement
5. Penalties

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Article 15: Matters of State and Local Interest (1041 Regulations)

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Matters of State and Local Interest

UPDATES

This article was carried forward without changes.

CARRY FORWARD

1. Applicability and Definitions
2. Standards
3. Review Procedure

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