

## **EXHIBIT B**

Panera Bread PUD Development Plan

Staff Report

### **DEVELOPMENT REVIEW CHECKLIST**



## PLANNING DEPARTMENT

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### Town of Dillon Land Development Code Application Review Checklist

Name of Application:

**Panera Bread PUD Development Plan**

#### ARTICLE III - Zoning Districts

Completed?

YES

NO

#### Sec. 16-3-160. - Commercial (C) Zone.

In the C zone, the following regulations shall apply:

(1) Purpose. The purpose of this zone is to provide areas suitable and desirable for a wide range of auto-oriented commercial and business uses in compact clusters adjacent to major thoroughfares. This district is intended as a commercial area containing retail, offices and personal service establishments. This area should serve automobile travelers, but should also be designed to allow pedestrian and bicycle access. Development in this district should not be strip commercial in nature, but should have internal circulation drawing traffic off the street. Individual access for individual uses is discouraged. Development is encouraged to promote high quality design, attractive landscaping and signage. Uses in this district should typically be those serving the traveling public or those that require a larger area than can be provided in the core area. Uses in this district should not necessarily compete with core area businesses, but should provide other services to the public.

YES

NO

(2) Permitted uses. The following uses and their accessory uses are permitted and may be allowed by the Town when in conformance with the provisions of this Chapter.

- a. Automobile services.
- b. Medical or dental clinic.
- c. Entertainment.
- d. Personal services.
- e. Offices.
- f. Restaurants.
- g. Retail stores.



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- h. Hotels, motels, inns or other similar uses at a density established in the RH zoning district.
- i. Accessory uses to any permitted use in the C zone, including but not limited to decks; patios; outdoor seating; outdoor food and beverage service; outdoor entertainment; playgrounds; temporary structures; off-street parking or loading; drive-in windows; storage and display of nursery plants, shrubs or trees; and displays of new or used automobiles, trailers, trucks, boats or other mobile equipment.
- j. Retail marijuana stores in accordance with Chapter 6 of this Code.

YES

NO

(3) Conditional uses. The following uses and their accessory uses may be permitted if in conformance with the intent of this Chapter, subject to the provisions of Article V, Division 3, and after an appropriate review has been conducted:

- a. Child care facilities.
- b. Churches.
- c. Multi-family dwelling units at the density established for dwelling units within the RM zone.
- d. Drive-in facilities.
- e. Wholesale trade class 1 and wholesale trade class 2.
- f. Pawnshops in Accordance with Chapter 6 of the Dillon Municipal Code and the following criteria:
  - i. No Pawnbroker shall operate a business within three hundred (300) feet from the following uses: a Church; Land Zoned as Parks and Opens Space (POS); a residential zoning district, regardless of jurisdiction; a Residential Use, unless the residential use is within the Mixed Use (MU) or Commercial (C) zoning districts and it is not in the same building as a Pawnshop. Under no circumstances shall a Pawnshop be located in the same building as a residential use; and no Pawnshop shall be in the same building as a pediatrician's office or a building having rooms for boarding.
  - ii. No Pawnbroker shall operate a business within one thousand (1,000) feet of: a school; a Child Care Facility or Child Care Center, except for a Child Care Facility or a Child Care Center operated as an approved Home Occupation in a Residential Zoning District; a College Campus, whether a primary campus or not; a correctional institution, rehabilitation center, or Halfway House; or a Public Housing Project owned and operated by a government agency.
  - iii. Measurement of Setbacks: For the purposes of this Section, the distance between a Pawnshop and any of the restricted uses stipulated shall be measured as follows: without regard to intervening structures, objects or Town limits, from the closest



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property line of the structure in which the Pawnshop is located to the nearest property line of the other use.

**The building proposes a Drive-In Facility which is a Conditional Use in the Commercial (C) Zone District. The application requires a Conditional Use Permit to show conformance with the intent of this Chapter.**

YES

NO

(4) Residential uses. Residential uses shall only be allowed as conditional uses if they meet the following standards and criteria:

a. The residential uses do not exceed forty percent (40%) of the square footage of the total project nor exceed fifty percent (50%) of the square footage of any one (1) building within a project.

b. The residential uses are located either above the first floor or, if located on the first floor, do not occupy, in the determination of the Commission, a primary building facade, which is generally those facades that face the primary commercial parking lot intended to serve the project, or face public rights-of-way from which pedestrian access to the commercial or other approved primary uses is provided.

c. The residential uses are provided with private yards or outdoor open space areas, a minimum of two hundred (200) square feet in size per unit, located immediately adjacent to the residential units. This may be on-grade or provided through the use of decks and/or balconies.

d. Parking for the residential uses shall be distinct from any other parking on-site, shall be in a separate area whenever possible and shall be signed for the use of the residents only. No required residential parking may be off-site, nor shall its construction be deferred to a later date.

**N/A**

YES

NO

(5) Yards. Except as provided in Articles V and XIII, yards shall be as follows:

a. Front yards and street side yards shall be a minimum of twenty-five (25) feet.

b. Yards abutting a residential zone shall be twenty-five (25) feet.

c. Side yards shall be ten (10) feet.

d. Rear yards shall be twenty (20) feet.



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YES

NO

### (6) Building heights.

- a. Except as provided in Articles V and XIII, no building shall exceed a height of forty (40) feet.
- b. For all commercial development, including commercial development containing other approved uses, the site may be regraded to create building pads necessary for the logical development of the site. When such pads are created, they shall be utilized by the Town and the applicant to determine allowed building height. In no instance shall building pads be created that are not in keeping with the overall character of the surrounding neighborhood, nor shall a site be filled solely to raise the height of a building.

YES

NO

### (7) Limitations on use.

- a. Wholesale trade class 1 uses shall not be allowed on Lake Dillon Drive unless such uses include a retail store or restaurant component which faces and fronts on the Lake Dillon Drive portion of the building containing the wholesale trade class 1 use.
- b. Wholesale trade class 2 uses shall not be allowed on Lake Dillon Drive.

**N/A**



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### ARTICLE IV - Supplemental Zoning Provisions

YES

NO

#### **Sec. 16-4-10. - Building components extending into setbacks.**

Cornices, canopies, eaves or similar architectural features may extend into a required setback not more than two (2) feet. Fire escapes may extend into a required rear yard not more than six (6) feet.

YES

NO

#### **Sec. 16-4-20. - Use of temporary structures.**

No trailer, tent, shack, garage, barn or other outbuilding shall at any time be used for permanent human habitation and may temporarily be used only for a period not to exceed ninety (90) days during construction of the principal building, and after the issuance of a Class IV permit.

**N/A**

YES

NO

#### **Sec. 16-4-30. - Lot area included in area calculations.**

No part of an area required for a lot for the purpose of complying with the provisions of this Chapter shall be included as an area or width for another lot, except as part of a planned unit development.

YES

NO

#### **Sec. 16-4-40. - Accessory apartments and secondary units.**

A secondary residential unit or accessory apartment may be permitted in the RE, RL, RM and RH zones in a single-family residence, subject to the following provisions:

- (1)The Planning and Zoning Commission shall review and approve, under the Level III process, a site plan showing the location of the unit.
- (2)The property owner shall pay all required water and sewer tap fees.



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- (3) The unit shall meet all building code requirements.
- (4) Two (2) parking spaces shall be provided per unit, and such parking area shall be landscaped to buffer parking from neighboring properties.
- (5) The habitable portion of the accessory apartment is not greater than nine hundred (900) square feet in size, nor is it more than one-third ( 1/3 ) the size of the heated living area of the primary residential unit.
- (6) A restrictive covenant is filed stating the unit will not be subdivided into a separate ownership unit from the primary unit.
- (7) The unit is deed restricted against utilization as a short-term rental, which means it may not be rented for periods of time of less than six (6) months.
- (8) The unit design is compatible with the neighborhood and the principal structure.
- (9) The unit may be a separate building from the primary structure, when placed above a freestanding garage, or on lots greater than one (1) acre.

N/A

YES

NO

**Sec. 16-4-50. - Fences, hedges and walls.**

Fences, hedges and walls may be permitted in the required setback in all zoning districts subject to the following conditions:

- (1) Fences or walls may not be placed in any public rights-of-way.
- (2) No fence, wall or hedge shall be constructed or maintained in a front setback that exceeds forty-two (42) inches in height from ground level.
- (3) No fence shall be permitted to exceed seven (7) feet in height in all other yards, except as herein set forth.
- (4) No fence, hedge or wall shall be constructed that obstructs the view for motorists. Any fence or wall to be constructed within thirty (30) feet of a corner of public or private streets shall be submitted to the Town for review to determine maximum height and placement as a Class IV application.
- (5) No barbed wire or other sharp-pointed metal fence shall be permitted, except as topping for industrial type fencing on nonresidentially zoned property, and no barbed wire or similar fencing material shall be located closer than six (6) feet from the ground.
- (6) No electrically charged fence shall be erected in the Town.



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YES

NO

### Sec. 16-4-60. - Lighting.

(a) Site lighting. Any outdoor lighting used for the illumination of parking areas, off-street loading areas, recreation areas or any other purpose shall be arranged in such a manner as to meet the following standards:

(1) Lights shall be shielded so beams or rays of light will not shine directly onto surrounding residential properties, and all light fixtures, except for those in the CA zone which match the Town's lighting standards, shall be designed so the light source shall be shielded by the fixture.

(2) Neither direct nor reflected light from any source may be allowed that may create a traffic hazard to operators of motor vehicles on public streets.

(3) No colored lights may be used which may be confused or construed as traffic control devices.

(4) No beacon lighting, blinking, flashing or fluttering lights or other illuminated device such as a changing light intensity, brightness or color may be permitted in any district, except for temporary holiday displays.

(5) No light source shall exceed twenty (20) feet in height, except where placed on a building to illuminate portions of the building, or within parking lots greater than twenty (20) parking spaces, where the maximum height may not exceed twenty-eight (28) feet.

YES

NO

(b) Building lighting. Any lighting used on a building shall conform to the following standards:

(1) No light source shall be designed in a manner where it is not shielded in by the light fixture. Recessed lighting is preferred.

(2) No building or building element shall be outlined or framed by lights to highlight the building or any portion of the building, such as the use of neon tubing or other similar light fixture on a permanent basis.

(3) Building elements may be highlighted with decorative lighting such as Christmas lights that are intended to be utilized on a temporary basis.

(4) No light source may be placed higher than the eave line of the building.





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YES

NO

### Sec. 16-4-70. - Home occupations.

Home occupations shall be allowed as an accessory use, provided that all of the following conditions are met. An application for a home occupation shall be reviewed as a Level I application:

- (1) Such use shall be conducted entirely within a dwelling and carried on by the inhabitants living there.
- (2) Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof.
- (3) The total area used for such purposes shall not exceed forty percent (40%) of the floor area of the user's dwelling unit.
- (4) There shall be no exterior advertising other than a nameplate placed on the house that does not exceed one and one-half (1.5) square feet in size, and is not lit in any manner.
- (5) There shall be only incidental sale of stocks, supplies or products conducted on the premises.
- (6) There shall be no exterior storage on the premises of materials or equipment used in the home occupation.
- (7) There shall be no offensive noise, vibration, dust, smoke, odors, heat or glare noticeable at or beyond the property line.
- (8) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood.
- (9) A home occupation may include, but is not limited to, the following, provided that all requirements contained herein are met: art studio, dressmaking or other millinery work, professional office, office for insurance or real estate sales, and teaching.
- (10) Ordinarily a home occupation shall not be interpreted to include the following: clinic, hospital, nursing home, restaurant or retail shop.

N/A

YES

NO

### Sec. 16-4-80. - Nonconforming uses and buildings.

A nonconforming use may be continued, and a nonconforming building may continue to be occupied, except as otherwise provided for in this Section.

- (1) Change of use. A nonconforming use may be changed to any conforming use or to any use of a more restrictive classification.
- (2) Abandonment of use. If active and continuous operations are not carried on in a nonconforming use during a continuous period of one



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(1) year, the building, other structure or tract of land where such nonconforming uses previously existed shall thereafter be occupied and used only for a conforming use. Intent to resume active operations shall not affect the foregoing.

(3) Restoration of buildings. A nonconforming building or a building containing a nonconforming use which has been damaged by fire or other causes not under the control of the owner may be restored to its original condition, provided that such work is started within six (6) months of such calamity and completed within one (1) year of the time restoration is commenced.

(4) Alteration of a nonconforming building or structural changes. A nonconforming building may be structurally altered, repaired or enlarged in any way permitted by these regulations, provided that no alterations, repairs or enlargements shall be made in a nonconforming building which would increase the degree of nonconformity with the location and bulk requirements of this Chapter. Any building or structure containing a nonconforming use or any nonconforming building or portion thereof declared unsafe by the Building Inspector may be strengthened or restored to a safe condition.

N/A

YES

NO

**Sec. 16-4-90. - Transfer of density.**

(b) Development permit required. Any person desiring to transfer density from one (1) lot or parcel of real property within the Town to another such lot or parcel must obtain a permit authorizing and approving such transfer, and any transfer of density except in compliance with the provisions of this Section shall be null and void.

N/A

YES

NO

**Sec. 16-4-100. - Adult entertainment.**

Adult entertainment, including massage parlors, may be allowed as a conditional use within the MU zoning district if the Town finds that it meets all the criteria for the granting of a conditional use and it conforms to the following standards:

N/A



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**ARTICLE VI - Off-Street Parking and Loading**

YES

NO

**Sec. 16-6-40. - General parking requirements.**

(1) The following number of parking spaces shall be provided for any new development, addition to an existing development or change of use:

Use	Required Spaces
<b>Residential</b>	
Single-family	2 spaces
Duplex	2 spaces/unit
<b>Multi-Family Residential and Hotels</b>	
Efficiency, studio, 1-bedroom	1.5 spaces/unit
2-bedroom or greater	2 spaces/unit
Lodging, hotel, motel, bed & breakfast	1 space/bedroom
<b>Schools</b>	
Child care center	1 space/employee + 1 space/10 children
Elementary, middle school	2 spaces/classroom
High school, college	.25 spaces/student capacity + 1 per faculty member



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<b>Commercial/Miscellaneous</b>	
Retail sales, commercial, general office, medical office, dental office	1 space/400 gross sq. ft.
Church	1 space/400 gross sq. ft.
Auto service establishment	1 space/employee + 1 space/service bay
Restaurant, sit-down	1 space/120 gross sq. ft.
Restaurant, drive-in	1 space/100 gross sq. ft.
Restaurant, outdoor seating	Outdoor seating that does not exceed 20% of the size of the restaurant, based on gross square footage, shall be exempt. Outdoor seating in excess of 20% shall provide parking for those portions of the seating area in excess of 20% at the same rate as the restaurant itself
Conference Center or Public Meeting Room	1 space/every 250 square feet
<b>Entertainment</b>	
Auditorium, theater	1 space/4 seats
Bowling alleys	4 spaces/alley + 1 space/employee

(b) All parking requirements that are not whole numbers shall be rounded upward to the next highest whole number.



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(c) The number of parking spaces required for uses not listed within this Section shall be determined by the Planning and Zoning Commission, after review and recommendation by the Town Manager, based on the impacts anticipated by the proposed use, and shall relate to the anticipated demand created by each proposed use.

YES

NO

**Sec. 16-6-60. - Design standards for off-street parking spaces and facilities.**

Each off-street parking space or facility provided within the Town shall conform to the following design standards:

(1) Size of parking stalls/spaces.

a. Within a parking facility containing four (4) or more spaces, the minimum parking stall sizes shall be:

	<i>Length</i>	<i>Width</i>
30 to 90 degree parking	18 feet	9 feet
Parallel parking	25 feet	8 feet
Enclosed parking	18 feet	9 feet

YES

NO

b. For all other parking facilities, including single-family, duplex or any other uses where a parking facility contains less than four (4) parking spaces, the minimum parking stall sizes shall be:

	<i>Length</i>	<i>Width</i>



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30 to 90 degree parking	18 feet	9 feet
Parallel parking	25 feet	8 feet
Enclosed parking	18 feet	9 feet

**N/A**

YES

NO

(2) Width of parking aisles. The following minimum aisle widths shall be required for all off-street parking facilities provided within the Town:

<i>Angle of Parking Stalls</i>	<i>Minimum Aisle Width</i>
45 degrees	14 ft. (one-way traffic only)
60 degrees	18 ft. (one-way traffic only)
75 degrees	20 ft. (one-way traffic only)
90 degrees	24 ft. (one- or two-way traffic)

**Parking facility entry shown at 17.7'. Applicant will update to show a 24' minimum width by modifying the parking lot striping in this area**

YES

NO

(3) Maximum grades.

a. Single-family and duplex uses. The maximum grade allowed for single-family and duplex uses shall not exceed ten percent (10%), with the exception that the first twenty (20) feet immediately adjacent to any garage shall not exceed eight percent (8%), or twelve percent (12%) if heated.

b. Summer seasonal parking lots. The maximum grade allowed for parking spaces shall not exceed six and one-half percent (6.5%) in



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any direction. The maximum grade allowed for drive aisles adjacent to parking spaces shall not exceed six and one-half percent (6.5%) in any direction. The maximum grade allowed for access driveways between the public road and the parking spaces shall not exceed ten percent (10%) in any direction.

c. All other uses. The maximum grade allowed for parking spaces shall not exceed four percent (4%) in any direction. The maximum grade allowed for drive aisles adjacent to parking spaces shall not exceed four percent (4%) in any direction. The maximum grade allowed for access driveways between the public road and the parking spaces shall not exceed ten percent (10%) in any direction.

d. Access drives crossing sidewalks. When an access drive crosses a public sidewalk or a designated accessible route, the slope of the drive aisle shall not exceed two percent (2%) to maintain the cross-slope of the sidewalk or accessible route. This is typically accomplished by the installation of a concrete curb cut for sidewalks attached to the curb along a roadway.

**The maximum grading within the parking lot drive aisle and parking spaces is 8.5% which exceeds the allowable maximum grade of 4%.**

YES

NO

### **Sec. 16-6-60. - Design standards for off-street parking spaces and facilities.**

(4) Paving. All parking spaces, including driveways, shall be surfaced with asphalt, concrete or equivalent.

YES

NO

(5) Lighting. Any lighting proposed for the purpose of providing lighting for a parking facility shall be designed in a manner where the light is directed away from any adjoining properties. In addition, lighting fixtures for parking lots within the Core Area shall be compatible with the light fixtures provided by the Town to light Town parking lots and public ways.

YES

NO

(6) Accessibility. All off-street parking spaces and facilities shall have legal, unobstructed access to a public street or alleyway.



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YES



NO



(7) Backing onto public street. Except for single-family and duplex parking areas, all other parking stalls and spaces shall be so designed, located and served by maneuvering lanes so their use will under no circumstances require a backing movement onto any public street.

In cases where portions of a Town owned right-of-way are used as primarily public parking, and where the portion of the right-of-way used as primarily public parking also does not have a street name designation, backing into the drive aisle adjacent to the parking spaces shall be permitted.

In the Core Area Zone District, upon determination by the Town Manager that no other option for accessible parking is available for a particular building, accessible parking spaces for such building may be allowed to back into the right-of-way in order to provide accessible parking for such building.

YES



NO



(8) Landscaping. All off-street parking facilities containing four (4) or more spaces shall be adequately screened from any adjacent residentially zoned parcel or public street by a strip of land at least ten (10) feet in width (fifteen [15] feet if in a front yard) densely landscaped with a combination of trees and shrubs adequate to screen the adjacent property or right-of-way from the parking lot. This landscaping area shall contain a minimum of one (1) tree per ten (10) linear feet, with the trees being a minimum of eight (8) feet in height, and having a mixture of evergreens and deciduous trees at a ratio of 50:50.

YES



NO



(9) Snow storage.

Summer seasonal parking lots are not required to have additional snow storage areas.

Unless designed with a snow melt system, all other parking areas shall be provided with snow storage areas adequate to meet the needs of the parking facilities. This shall include the provision of a minimum of snow storage equal to twenty-five percent (25%) of the area to be cleared of snow. Such snow storage areas shall be located in a manner to reasonably facilitate the snow removal process. The





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snow storage areas shall be landscaped in a manner that does not interfere with the snow storage process.

YES

NO

(10) Accessible parking.

Parking facilities shall be designed and constructed with accessible parking and accessible access routes in conformance with the federal 2010 ADA Standards for Accessible Design.

Parking facilities shall provide the minimum number of required accessible parking spaces per Section 208 of the federal 2010 ADA Standards for Accessible Design.

At least one (1) van-accessible parking space is required for every six (6) or fraction of six (6) accessible parking spaces required per this Section.

The width of an accessible parking space may be reduced to a minimum of eight (8) feet wide when adjacent to an access aisle that is a minimum of eight (8) feet wide.

### **Sec. 16-6-70. - Maintenance of off-street parking spaces and facilities.**

It shall be the responsibility of the owner to maintain the off-street parking spaces or facilities in a state of good repair and in an unobstructed condition so as to ensure that all required off-street parking spaces are available for use on a daily basis.

Upon an accumulation snow depth of four (4) inches of uncompacted snow, all off-street parking spaces shall be substantially cleared of snow within twenty-four (24) hours. The removed snow shall be stacked in such a way so as not to impair lines of sight or disrupt the proper flow of vehicular or pedestrian traffic.

Snow removal is not required in summer seasonal parking lots. Summer seasonal parking lots may be used for snow storage

YES

NO

### **Sec. 16-6-80. - Use restrictions for off-street parking facilities.**

The required number of off-street parking spaces shall be maintained for the parking of operable passenger vehicles of residents, customers, patrons and employees only, and shall not be used as parking for vehicles which are being used as a residence, for storage of vehicles or materials.



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Unless otherwise allowed in this Section, required off-street parking spaces shall not be used for the parking or storage of trailers, boats, detached campers, disabled or inoperable vehicles or other objects that will render the parking space unusable according to the intent and purpose of this Article.

Parking spaces located within summer seasonal parking lots may be used for the storage of trailers, boats and snow as approved by the Town Manager.

YES

NO

### **Sec. 16-6-90. - Off-street loading spaces.**

Every project used for commercial, retail or industrial purposes with a gross floor area of over twenty thousand (20,000) square feet shall be required to have a minimum of one (1) off-street loading area provided on site.

**N/A**



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### ARTICLE VII - Landscaping and Vegetation

#### Sec. 16-7-10. - Intent.

This Article is intended to provide for the health, safety and welfare of the citizens of the Town by preserving existing vegetation and providing that future development provide landscaping that meets the following objectives and criteria:

- | YES                                 | NO                       |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | (1) All efforts will be made to preserve existing trees.   |
| <b>N/A</b>                          |                          |  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (2) Proposed landscaping improvements will be of high quality and guaranteed by the developer.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (3) Proposed landscaping improvements will be of such species as necessary to live in the Town's mountain environment.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (4) Landscaping to be installed shall be of a sufficient quantity and size to:<br>Screen all buildings from adjoining properties.<br>Screen parking areas from roads and neighboring properties with dense landscaping.<br>Provide a buffer between commercial properties and the road through substantial landscaping. Such buffers shall allow visibility by the general public, but also provide vegetation that will screen portions of the building and parking area.<br>Provide a landscaped area between residential properties and the street, including trees and other landscape materials.<br>Screen developments on slopes of over fifteen percent (15%).<br>Developers shall be required to place additional trees in sufficient number to screen such properties from major thoroughfares, such as Highway 6 and Chief Colorow Street. |



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**Sec. 16-7-20. - General landscape requirements.**

All yards and parking areas shall be landscaped in accordance with the following requirements:

(1) Provisions for landscaping, screening and maintenance are a continuing obligation of the property owner, and where approved trees, shrubs or other landscaping materials die or are removed, it shall be the responsibility of the applicant to replace them with materials of a comparable nature and size to those originally approved.

YES

NO



(2) Site plans indicating landscaping improvements shall be included with the plans submitted to the Planning and Zoning Commission for approval. Issuance of a building permit includes these required improvements which shall be completed or guaranteed prior to issuance of a certificate of occupancy.

YES

NO



(3) Existing trees, plant material and special site features shall be preserved within a project site to the fullest extent possible.

**N/A**

YES

NO



(4) All required yards and the entire open space of all multi-family dwelling sites, exclusive of walks, drives, parking areas and buildings, shall be landscaped and permanently maintained. Landscaping shall primarily consist of ground cover, trees, shrubs and other living plants with sufficient irrigation to properly maintain all vegetation. Decorative design elements such as fountains, pools, benches, sculptures, planters, fences and similar elements may be placed within the area, but shall not be the dominant feature of any yard.

YES

NO



**Sec. 16-7-30. - Specific requirements.**

(a) All open storage areas shall be screened from public rights-of-way or adjacent property by use of landscaping, berms or a combination of landscaping and other structural elements to a height of six (6) feet. Parking or storage uses accessory to a primary single-family use and located on an adjoining lot shall be fully screened with the use of



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decorative fencing that is architecturally compatible to the primary residence (using wood, stone or similar natural materials).

N/A

YES

NO

(b) Any site contiguous to or facing any residential zone or residential use shall screen its parking areas, loading docks or similar uses through the use of landscaping elements to a height of four (4) feet.

N/A

YES

NO

(c) All surface areas designated on the approved site plan that will not be a hard surface shall be planted with adequate ground cover as approved by the Town and shall be top-dressed with a minimum of two (2) inches of top soil prior to planting. In addition, irrigation systems shall be provided in those instances where required to guarantee the proper growth of the landscaping being provided.

YES

NO

(d) Not less than seven percent (7%) of the interior of all parking lots and drive-in establishments shall be placed in landscaping.

YES

NO

(e) Trees shall be provided in the following manner:

Street trees shall be provided for all projects where front yards are required, at a rate of one (1) tree for every fifteen (15) linear feet, or fraction thereof, of street frontage, including street side yards.

In addition to the street trees required above, trees shall be provided for all projects other than single-family, at a rate of one (1) tree per five (5) parking spaces or fraction thereof. These trees shall be placed within or immediately adjacent to the parking lot.

Within all other yards, trees shall be provided in a number adequate to buffer the project from adjacent uses.

All required trees shall be a minimum of six (6) feet in height, with the exception that twenty-five percent (25%) of the required trees for any project shall be a minimum of eight (8) feet in height.

All required trees shall have a minimum caliper, measured two (2) inches above ground level, of one and one-half (1½) inches.

A minimum of thirty percent (30%) of all required trees shall be evergreens, and at least twenty-five percent (25%) of the evergreens shall be a minimum of eight (8) feet in height.



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YES

NO

(f) Public rights-of-way adjacent to the site shall also be landscaped if in the opinion of the Commission such landscaping is necessary to complete the project. Specifically, the applicant is responsible for improving the area between the street roadway and the applicant's property line.

**N/A**



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### ARTICLE VIII - Design Guidelines

YES

NO

#### Sec. 16-8-20. - Harmonious development of structures.

(a) Building location, configuration, architectural design, materials and colors should be harmonious with the mountain setting and scale of the Town. Structures should not visually dominate the Town unless they are of civic importance and occupy focal sites.

YES

NO

(b) Structures should utilize materials and design elements that relate to the mountain character of the community, and should not utilize a "design theme" that is not characteristic of the community or region, such as utilizing adobe or other materials more appropriate for southwestern United States, or Colonial themes or other similar designs.

YES

NO

#### Sec. 16-8-30. - Roofs.

Roofs should be designed to be harmonious with their surroundings; this would typically include shake roofs or metal roofs with a matte finish. Flat roofs should be discouraged and permitted only in special situations that prohibit the use of pitched roofs. Where flat roofs are used, pitched roof elements should be used to add interest and relate better to the existing community design. Eaves, canopies, overhangs and other building features that provide shelter from the elements in winter and shade in summer are encouraged. Where long roof elements are utilized, they should be broken up through the use of dormers or other features. Roofs should not be designed in a manner that allows snow to shed over entryways or walkways, nor should buildings be designed to allow snow shedding onto parking spaces.

YES

NO

#### Sec. 16-8-40. - Building materials.

Building materials should be predominantly natural, such as wood siding, shingles, native stone and brick. Foundations provided for



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nonresidential buildings and multi-family structures should be faced with native stone or painted, rather than left as an untreated concrete.

YES

NO

### Sec. 16-8-50. - Colors.

Natural colors (earth tones) are favored, but gray and white are also acceptable if used in appropriate locations and amounts. Primary colors or other bright colors should be used only as accents, and then sparingly. Use of penetrating stains rather than paint on wood surfaces will be encouraged. Wood should be finished so as to protect it from the elements.

YES

NO

### Sec. 16-8-60. - Grading.

Excessive grading, including cut-and-fill slopes, shall not be permitted on hillsides for building sites, access drives, parking areas or other improvements. Cut-and-fill slopes should be sculptural in form, contoured and planted with natural materials to blend in with the natural, undisturbed terrain.

YES

NO

### Sec. 16-8-70. - Service areas.

Service areas, outdoor storage, garbage cans and trash storage areas shall be screened from adjacent properties, streets and other public areas by fences, planting or other suitable means as approved by the Town.

YES

NO

### Sec. 16-8-80. - Retaining walls.

Retaining walls should be limited in size. Where retaining walls are necessary, they should be designed in a manner that is compatible with the natural surroundings of the site and/or building design.





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Materials should usually consist of natural rock, boulders, stone, brick or other decorative materials. In addition, retaining walls should not usually exceed eight (8) feet in height, and where greater height is necessary, shall be designed in a manner that steps the retaining walls and provides landscaping on each step.

**The proposed retaining wall height of a maximum 14.8 feet exceeds the 8 foot tall maximum allowance and does not provide terracing.**

YES

NO

### Sec. 16-8-100. - Snow storage.

Adequate space shall be provided within a development for storage of snow. It is encouraged that a functional snow storage area be provided which is equal to twenty-five percent (25%) of the area to be cleared, including the full dimensions of roadways, walkways and parking areas. Snow storage shall not be allowed on landscaped areas, except where these areas are grass or rock cover. It is encouraged that snow storage areas be located away from public view wherever possible. Snow storage areas shall be required to be shown on site plans, and easements may be required to be dedicated where needed. In some cases, the Town may reduce the required snow storage areas if a snow removal plan is presented which provides a continuous guarantee of removal.

YES

NO

### Sec. 16-8-110. - Revegetation.

All areas disturbed for any construction activity shall be revegetated, and it shall be the applicant's responsibility to guarantee that all revegetated areas shall continue to grow.