

# ARTICLE 3: ZONING DISTRICTS

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## 3.1. DISTRICTS ESTABLISHED; ZONING MAP

This Article establishes the zoning districts and contains basic information pertaining to the districts, including statements of purpose. Article 4, *Use Regulations*, and Article 5, *Dimensional Standards*, identify the uses allowed within the districts and the dimensional standards applying to development in the districts, respectively. Article 6, *Development Standards*, identifies any district-specific development standards applying to development in the districts.

### 3.1.1. ZONING DISTRICTS ESTABLISHED

The following zoning districts are established:

TABLE 3.1-1: ZONING DISTRICTS ESTABLISHED		
District Type	Abbreviation	District Name
Residential	R-A	Agricultural/Residential
	R-T	Rural Transition
	R-6	Town Residential – Low Density
	R-12	Town Residential – Medium Density
	R-18	Town Residential – High Density
Mixed-Use	MU-R	Mixed-Use Residential
	MU-C	Mixed-Use Corridor
	MU-TC	Mixed-Use Town Center
Non-Residential and Other	C	Commercial
	LI	Light Industrial
	OS	Open Space and Parks
	PS	Public/Quasi Public
Special Purpose and Overlays	OPD	Planned Development
	ODE	Downtown East Village
	ODB	Downtown Business and Lodging
	OHD	Downtown Historic Business District
	OHSB	Hot Springs Boulevard

### 3.1.2. ZONING MAP

#### A. Original Map and Copies

1. The zoning districts are shown on the Official Zoning Map. The boundaries of zoning districts established in this Land Use Code are delineated upon the Zoning Map and adopted as part of this Land Use Code. Procedures for amending the Zoning Map are in Section 2.4.2., *Amendments to the Official Zoning Map*.
2. In the event of uncertainty in the exact boundaries of any of the districts as shown on the Official Zoning Map, the Director shall recommend the location of such boundaries to the Planning Commission and the Commission shall make the final determination.

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## SECTION 3.2 RESIDENTIAL DISTRICTS

### SUBSECTION 3.1.3 RELATIONSHIP TO OVERLAY DISTRICTS

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#### 3.1.3. RELATIONSHIP TO OVERLAY DISTRICTS

All lands within the Town shall be designated as one of the base zoning districts listed in Sections 3.2 through 3.4. In addition, some lands may be designated as one or more of the overlay districts listed in Section 3.5. Where the property is designated as an overlay district, the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying base district. In the event of an express conflict between the two sets of standards, the standards for the overlay district shall control.

#### 3.1.4. ANNEXED TERRITORY

When any territory is brought into the jurisdiction of the Town of Pagosa Springs, by annexation or otherwise, such territory shall be deemed to be in the R-A Agricultural/Residential district unless the Town Council designates another zoning district at the time of annexation after review and recommendation by the Planning Commission, giving due consideration to the surrounding existing uses as well as the Comprehensive Plan, and provides notice that complies with the notice requirements of Section 2.4.2., *Amendments to the Official Zoning Map*, of this Land Use Code. This provision shall not preclude subsequent rezoning of such property by amendment in the manner set forth in Section 2.4.2.

### **3.2. RESIDENTIAL DISTRICTS**

#### 3.2.1. GENERAL PURPOSES OF ALL RESIDENTIAL ZONE DISTRICTS

The residential zoning districts are intended to:

- A. Provide appropriately located areas for residential development that are consistent with the Comprehensive Plan and with standards for public health, safety, and general welfare;
- B. Ensure adequate light, air, and privacy for all dwelling units with respect to density;
- C. Minimize traffic congestion and overloading of public services and utilities;
- D. Protect residential neighborhoods from incompatible uses that create excessive noise, illumination, unsightliness, odor, and smoke; and
- E. Create a mixture of residential uses and preserve edges and transitions between districts.

#### 3.2.2. AGRICULTURAL/RESIDENTIAL (R-A)

The R-A zone district is intended for agricultural uses and detached single-family residences. The district is intended to provide a transition between Town neighborhoods and surrounding county agricultural/rural residential areas on large parcels of land at a low rate of population density. Land owners may develop large lot single-family residential, or cluster residential units on smaller lots to conserve space, views, agriculture or equestrian land, and other natural features. Clustering should occur near the edges of property close to existing or planned development. Density can range from one unit per five acres, to up to one unit per acre, with more density being allowed proportionately with increased dedication of land for conservation purposes.

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### SECTION 3.3 MIXED-USE DISTRICTS

#### SUBSECTION 3.2.3 RURAL TRANSITION (R-T)

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##### 3.2.3. **RURAL TRANSITION (R-T)**

The R-T district is intended primarily for detached single-family residences (and duplexes and patio homes if clustered). The district is intended to provide a transition between Town neighborhoods and the R-A district on large parcels of land with population densities higher than the R-A district, but lower than the R-1 district. Land owners may develop large lot single-family residential, or cluster residential units on smaller lots to conserve space, views, agriculture or equestrian land, and other natural features. Clustering should occur near the edges of property close to existing or planned development. Density can range from one unit per two acres, to up to two units per acre, with more density being allowed proportionately with increased dedication of land for conservation purposes.

##### 3.2.4. **TOWN RESIDENTIAL – LOW DENSITY (R-6)**

The R-6 district is intended primarily for single-family residences and duplexes. The district should have pedestrian-oriented, connected local streets and sidewalks, as well as accessibility to parks, open space, schools, and other civic activities. The maximum density is six units per acre.

##### 3.2.5. **TOWN RESIDENTIAL – MEDIUM DENSITY (R-12)**

The R-12 district is intended primarily for single-family residences, duplexes, and patio homes. The district is intended for locations closer to commercial centers and near downtown, and may serve as a transition between higher-density residential areas and lower-density, single-family neighborhoods. The district should have pedestrian-oriented, connected local streets and sidewalks, as well as accessibility to parks, open space, schools, and other civic activities. The maximum density is 12 units per acre.

##### 3.2.6. **TOWN RESIDENTIAL – HIGH DENSITY (R-18)**

The R-18 district allows the broadest range of residential types, including single-family residences, duplexes, patio homes, and apartments. The district is intended for locations closer to commercial centers and near downtown, and may serve as a transition between commercial centers and lower-density residential neighborhoods. The district should have pedestrian-oriented, connected local streets and sidewalks, as well as accessibility to parks, open space, schools, and other civic activities. Additional private recreational amenities, such as tot lots or garden/courtyards, should be provided in apartment or townhome complexes. The maximum density is 18 units per acre.

#### **3.3. MIXED-USE DISTRICTS**

##### 3.3.1. **GENERAL PURPOSES OF ALL MIXED-USE DISTRICTS**

The mixed-use districts are established to:

- A. Promote higher-density residential development near and within downtown and commercial centers, and other areas as appropriate;
- B. Concentrate higher-intensity commercial and office employment growth efficiently in and around the downtown and other centers of community activity;
- C. Encourage mixed-use redevelopment, conversion, and reuse of aging and underutilized structures and areas, and increase the efficient use of available commercial land in the Town;

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### SECTION 3.4 NON-RESIDENTIAL AND OTHER DISTRICTS

#### SUBSECTION 3.3.2 MIXED-USE RESIDENTIAL (MU-R)

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- D. Create pedestrian-oriented environments that encourage transit use and pedestrian access;
- E. Ensure that the appearance of residential and nonresidential uses are of high and unique aesthetic character and quality; and
- F. Ensure that residential and nonresidential uses are integrated with one another and the character of the area in which they are located.

#### 3.3.2. MIXED-USE RESIDENTIAL (MU-R)

The MU-R district is intended to allow for the vertical or horizontal mixing of uses, including some high-density residential. Mixed-use residential is appropriate near activity centers and near major arterial and collector streets. The district should promote self-supporting neighborhoods that contain housing predominantly, but could also include some retail, offices, and light trade. A range of residential housing types, including single-family residences, duplexes, patio homes, apartments, and live-work units, are allowed. A lesser portion of the site area shall be allocated to non-residential uses that are related to the neighborhood.

#### 3.3.3. MIXED-USE CORRIDOR (MU-C)

The MU-C district is intended to allow for the vertical or horizontal mixing of uses, including some high-density residential, along major highways. Commercial uses are appropriate, including retail, offices, hotels, and tourism-related businesses. The district is intended to promote gradual development and redevelopment of existing commercial corridors to become more vibrant and attractive mixed-use areas that also contain some housing, offices, and light trade.

#### 3.3.4. MIXED-USE TOWN CENTER (MU-TC)

The MU-TC district is intended to promote a wide range of residential and non-residential land uses in the downtown. The district is intended to maintain and improve the vibrant downtown area as an environment that has employment and shopping opportunities, a range of housing types, and parks, lodging, open space, and civic uses. New development should occur in traditional development patterns-with narrower streets, smaller blocks, and smaller lots. The MU-TC district is intended to encourage predominantly vertical with some horizontal mixed-use in a pedestrian-friendly environment that is not dominated by one land use or housing type.

### 3.4. NON-RESIDENTIAL AND OTHER DISTRICTS

#### 3.4.1. GENERAL PURPOSES OF ALL NON-RESIDENTIAL AND OTHER DISTRICTS

The non-residential and other zoning districts are intended to:

- A. Provide appropriately located areas consistent with the Comprehensive Plan for retail, service, office, and industrial uses;
- B. Strengthen the Town's economic base and provide employment opportunities close to home for residents of the Town and surrounding communities;
- C. Provide parks, open space, and other public facilities that serve the needs of the community; and
- D. Minimize any negative impact of nonresidential development on adjacent residential districts.

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### SECTION 3.5 OVERLAY DISTRICTS

#### SUBSECTION 3.4.2 COMMERCIAL (C)

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##### 3.4.2. **COMMERCIAL (C)**

The C district is intended for retail and office uses. The district includes existing retail centers that provide shopping service to surrounding neighborhoods and the community.

##### 3.4.3. **LIGHT INDUSTRIAL (LI)**

The LI district is intended for industrial, wholesale, commercial services, and office uses. The Light Industrial land use type is generally located near commercial centers, along major streets, or near the airport.

##### 3.4.4. **OPEN SPACE AND PARKS (OS)**

The OS district is intended for open space and parks. The district is intended for public or quasi-public facilities and private facilities of a non-commercial character serving the general public.

##### 3.4.5. **PUBLIC/QUASI PUBLIC (PS)**

The PS district is intended for uses related to community services, such as fire stations, schools, libraries, community centers, hospitals, Town buildings, utilities, cemeteries, and places of worship.

#### **3.5. OVERLAY DISTRICTS**

##### 3.5.1. **PLANNED DEVELOPMENT OVERLAY (OPD)**

The Planned Development (OPD) Overlay District is enacted pursuant to the Planned Unit Development Act of 1972 as amended. §§24-67-101, et seq., C.R.S. The district is intended to:

- A. Allow and encourage compatible uses to be developed in accordance with a unified development plan in harmony with the environment and surrounding neighborhood;
- B. Permit greater flexibility in the application of zoning and development standards and greater freedom in providing a mix of land uses in the development of a balanced community; and
- C. Encourage the preservation of critical environmental resources, provide above average open space and recreational amenities (as applicable), include exceptional and innovative design, and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.

##### 3.5.2. **DOWNTOWN EAST VILLAGE OVERLAY (ODE)**

The ODE Overlay is established to accommodate less intense commercial uses such as small offices, restaurants, individual retail stores, galleries, and other uses of similar impact. The Town also hopes to maintain and utilize the older homes existing in the district for commercial and residential uses. New residential uses are permitted, but commercial uses are encouraged.

##### 3.5.3. **DOWNTOWN BUSINESS AND LODGING OVERLAY (ODB)**

The ODB Overlay is established to protect the character and function of the downtown business and lodging areas. These areas will accommodate a variety of commercial enterprises that are appealing to pedestrian traffic and serve local residents and visitors. This overlay will likely attract office buildings, retail, dining, drinking, and lodging

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### SECTION 3.5 OVERLAY DISTRICTS

#### SUBSECTION 3.5.4 DOWNTOWN HISTORIC BUSINESS DISTRICT OVERLAY (OHD)

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establishments, and leisure facilities. Many of these uses are established in older existing downtown buildings that lend to the downtown character and charm.

##### 3.5.4. **DOWNTOWN HISTORIC BUSINESS DISTRICT OVERLAY (OHD)**

The Downtown Historic Business District overlay is established to protect the historic character and integrity of downtown Pagosa Springs. The Downtown Historic Business District Overlay includes all properties on the north side of Pagosa Street between 4th Street and 5th Street, and all properties on both sides of Lewis Street between 4th Street and 5th Street. The Downtown Historic Business District design guidelines shall apply to all development within this district.

##### 3.5.5. **HOT SPRINGS BOULEVARD OVERLAY (OHSB)**

The Hot Springs Boulevard Overlay district is established to expand the Town center to include new opportunities for commercial and residential development, anchored by a government district. Development in this neighborhood will strengthen the vitality of downtown Pagosa Springs as a place to live, work, and shop by allowing a variety of land uses to be developed in a manner harmonious with the traditional small urban atmosphere of the Town center. The intent of this district is also to accommodate land uses that focus on the natural resource of the hot mineral springs.