

5-304 Low Density (LD)

5-304 A. Purpose

- I. The purpose of the Low Density (LD) Zone District is to provide areas suitable for clustered, low-density residential development in accordance with the San Miguel County Comprehensive Development Plan. The LD Zone District applies to areas so zoned already; it shall not provide a mechanism for rezoning areas not currently so zoned. The Telluride Regional Area Master Plan includes an analysis of the Telluride Region's physical characteristics and the capability of the community to provide essential public services. If land is developed under the LD Zone District, the rural characteristics of the land shall be preserved to the maximum extent possible by careful site planning and, if necessary, the clustering of development. Clustering of residential uses will be required to preserve environmentally sensitive lands and the scenic foreground as open space.
- II. Within the Telluride Region, minimum requirements for approval of the residential densities proposed for the LD Zone District shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of transportation (capital, facilities and equipment) necessary to serve the development, long-term operation and maintenance of the regional transportation system, recreational amenities and affordable housing, as described in the Telluride Regional Area Master Plan and in this Code (see Sections 5-13 and 5-20). In the absence of such guarantees and in the absence of the fulfillment of the other requirements set forth in the PUD process, all lands will be subject to the standards for uses and area and bulk requirements allowed by right.

5-304 B. Planned Unit Development (PUD) Procedure

All development proposed within the LD Zone District, except for proposed development of uses allowed by right, shall be reviewed pursuant to the Planned Unit Development (PUD) procedure to establish permitted uses and to allow variation from the area and bulk requirements established in this section. Refer to Section 3-7 for PUD procedure and Section 5-14 for PUD Standards.

5-304 C. Uses Allowed by Right

- I. Single-family dwellings with less than 12,000 sq. ft. of Floor Area.
For Single-family dwellings with greater than 5,000 sq. ft. Floor Area of but less than 12,000 sq. ft. of Floor Area: if the proposed residence is located within a subdivision or PUD with an established Home Owner's Association (HOA) that is responsible for administering an applicable

design review board general declaration covenant requirement, the applicant shall provide a written approval of the proposed building plan from the HOA as part of their Development Permit application;

- II. Customary residential accessory buildings and uses;
- III. Day care homes; and
- IV. Home occupations.

5-304 D. Uses Allowed Subject to Administrative Review

- I. Accessory Dwelling Units. The Floor Area of the Accessory Dwelling Unit shall be included in the Calculation for employee housing Impact Fee mitigation as defined in, and is subject to, Section 5-13 of this Code; and
- II. Day care centers - allowed only on lots of at least one acre.

5-304 E. Uses Allowed Subject to One-step Planning Commission Review

- I. Equestrian Centers (see Section 5-24).

5-304 F. Uses Allowed Subject to Board of County Commissioners Approval Pursuant to the Planned Unit Development (PUD) Procedure

- I. Fire stations;
- II. Duplex dwellings;
- III. Churches; and
- IV. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including convenience store, drug store, liquor store, self-service laundry and postal service substation.

5-304 G. Area and Bulk Requirements Permitted by Right

- I. Density - one dwelling unit per lot
Minimum Lot Area - 35 acres
- II. Setbacks
 - a. Front yard - 50 feet

b. Rear yard - 50 feet

c. Side yard - 50 feet

III. Maximum Building Height - 35 feet

5-304 H. Area and Bulk Requirements Permitted Subject to Board of County Commissioners Approval Pursuant to the Planned Unit Development (PUD) Procedure

I. Maximum Density - one unit per 7 acres

II. Setbacks

a. Front yard - Determined pursuant to PUD procedure

b. Rear yard - Determined pursuant to PUD procedure

c. Side yard - Determined pursuant to PUD procedure

III. Maximum Building Height - 35 feet

5-304 I. Review Standards for Land Uses and Area and Bulk Requirements Requiring Board of County Commissioner Approval pursuant to the Planned Unit Development (PUD) Procedure

An applicant seeking approval for any of the uses listed in Sections 5-304 F. or approval to utilize the area and bulk requirements in Section 5-304 G. must demonstrate to the satisfaction of the Board of County Commissioners substantial compliance with the standards in this section.

I. The use is consistent with the Land Use Policies (Article 2);

II. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use and an applicant adequately mitigates the incremental impacts on the community's existing public services;

III. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable site;

IV. Any proposed structures are located outside the Scenic Foreground Overlay Zone District or are designed consistently with the Scenic Foreground Overlay standards;

V. The use is consistent with the relevant goals and objectives of the San

Miguel County Comprehensive Development Plan;

- VI. In the Telluride Region, acceptable guarantees (as described in the Telluride Regional Area Master Plan) have been made for the provision of:
- a. Adequate transportation to serve the development (see Section 5-2001);
 - b. A sufficient quantity and quality of affordable housing to house the employees attributable to the proposed land use (see Section 5-1304); and
 - c. A sufficient quantity and quality of recreational amenities to serve the residents of the development without overburdening existing off-site recreational facilities (see Section 5-803); and
- VII. Any neighborhood commercial services are designed and planned to be compatible with the surrounding neighborhood (see Section 5-1403 B.) to reduce traffic generation, mitigate traffic circulation and parking problems and serve the daily or frequent trade or service needs of the neighborhood.

5-304 J. Minimum Common Open Space - 60 percent

5-304 K. Minimum Off-street Parking

Off-street parking shall be provided for each use as required in Section 5-702.

5-304 L. Uses Allowed Subject to Two-step Special Use Permit Review

Single-family Dwellings greater than 12,000 sq. ft. require Planning Commission and Board of Commissioner Special Use Permit review pursuant to Section 5-307 L.