

Article 2 | Zoning Districts

Section 2.1 District intent statements

2.1.1 The following General Zoning Districts and Overlay Districts are hereby established. District titles are intended to convey general land use, maximum density, or development intensity; however the dimensional standards for each particular site may determine the actual allowed land use.

2.1.2 General Interpretation Guidelines

The administrator shall be authorized, at a minimum, to interpret the Zoning Map and shall decide disputed zoning district questions. If such interpretation or dispute cannot be determined by the Administrator, the Administrator may refer such questions to the Planning Commission and the Board of County Commissioners. Interpretations can be appealed by filing an appeal, as determined by the Administrative Appeals.

2.1.3 Base district

A. Agricultural Zoned Districts

1. RU, Rural

This district is primarily intended to provide for the protection and continuation of agriculture and forestry operations and the preservation of environmentally sensitive lands. This district is established for the vast majority of the County. It allows for the uses, services, and industry that are compatible with agricultural practices and that do not cause adverse impacts to agricultural and/or ranching operations.

B. Residential Zoned Districts

1. RE, Residential Estate

This district provides areas to be used for large-lot, single-family, stand-alone, residential estates. This district typically has similar development within existing platted large-lot subdivisions. The density is typically 1 unit per 5 acres (1:5). A limited number and types of farm animals may be allowed.

2. RH, Residential High

This district comprises areas for use in a variety of housing types such as single-family detached housing; small-number attached single-family dwellings, as well as multi-unit residential uses at apartment densities (maximum of twenty-five (25) dwelling units per gross acre).

3. RL, Residential Low

This district provides areas for use in low-density, suburban-scale residential development.

4. RM, Residential Medium

This district provides areas for use with low to moderate density, including, but not limited to: duplexes, townhouses, cluster housing, and other residential uses at a density of 10 units per acre. Actual development densities will vary based on unique characteristics of the development site and other extraneous factors, i.e. water, sewer, electric services.

5. RMH, Residential manufactured home

This district provides areas for single-family detached and double-sectioned manufactured homes, in approved residential manufactured home parks and subdivision developments. This district also permits single family residential developments.

C. Nonresidential districts

1. C, Commercial

This district provides for areas to be used for a full range of retail sales, commercial services and office spaces serving both residents and transient citizens. This district may encompass areas within or adjacent to residential districts; this district may also be located along traditional transformational corridors, such as highway and railroad corridors.

2. I, Industrial

This district provides areas to be used for non-offensive types of manufacturing, such as: research and development, processing, and warehousing activities. High-intensity office use and limited retail that is accessory to a permitted industrial or office use are also allowed in this district.

D. Planned unit development (PUD)

The PUD, Planned Unit Development District accommodates proposals for the same or similar uses to be developed as integrated units such as offices, commercial or service centers, shopping centers, light industrial, residential developments or proposals where any appropriate combination of such uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. All development in the PUD district shall have detailed and specific master plans for the proposed development and should include significant open space for the benefit of residents and occupants of the development and the community. PUD district standards are intended to provide for innovative development that is integrated and compatible with surrounding land uses and development patterns.

2.1.4 Overlay districts

A. Planned unit development overlay (-PUDO)

The Planned Unit Development Overlay District is intended to promote infill and redevelopment, and to supplement the underlying zoning district. The requirements of the -PUDO district shall supersede the requirements of the base district, provided that maximum density and uses shall be those of the underlying base district. The -PUDO district provides for modification of the otherwise applicable dimensional requirements of the underlying base district as specified in Section 3.1 in order to accomplish one or more of the following purposes:

1. Promote innovative and creative design of residential and nonresidential areas;
2. Promote flexibility in the placement of structures so as to preserve and take advantage of the site's unique, natural, resource or scenic features and to avoid or mitigate any hazardous area;
3. Encourage more efficient use of land and public streets, utilities, and governmental services;
4. Preserve open space for the benefit of residents of developments;

5. Achieve a compatible land use relationship with surrounding areas; or
6. Promote greater variety in the type and design of buildings and thereby improving the character and quality of new development.

B. Airport district (-AO)

The Airport Overlay district is intended to:

1. Minimize the danger to public health and safety or to property in designated areas around airports.
2. Encourage land use patterns for housing and other local government needs that will separate uncontrollable noise sources from residential and other noise sensitive areas, and encourage compatibility of development with non-motorized traffic.
3. Avoid danger to public safety and health or to property due to aircraft crashes, traffic congestion, air pollution or water pollution.

Section 2.2 Official zoning map

The boundaries of the districts established by this Land Use and Development Code shall be shown on a map or series of maps entitled "Official Zoning Map" (zoning map) an up-to-date copy of which shall be maintained in the office of the administrator. Original copies of the official map and all amendments thereto shall be maintained by the administrator. In any dispute regarding the classification of property subject to this LUDC, the original map maintained by the administrator shall control.

2.2.1 Interpretation of district boundaries

- A. The administrator is authorized to interpret the zoning map and to decide disputed questions of lot lines or district boundary lines and similar questions. If such questions arise in the context of an appeal from a decision of the administrator, they shall be handled as provided in Section 8.15, Administrative Appeals.
- B. In the event that the administrator cannot make a determination, the petitioner shall fill out an application for a zoning map interpretation which shall be submitted to the board of adjustment by filing a copy of the application with the administrator. The application shall contain sufficient information to enable the board of adjustment to make the necessary interpretation.
- C. Review and Decision Criteria: Where uncertainty exists as to the boundaries of any district shown on the Zoning Map, the following rules shall apply:
 1. Boundaries indicated as approximately following the center lines of streets, highways, alleys, or railroads (main tracks) shall be construed to follow such center lines;
 2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
 3. Boundaries indicated as approximately following municipal limits shall be construed as following such municipal limits;
 4. Boundaries indicated as following the center lines of streams, rivers, lakes, or other bodies of water shall be construed to follow such center lines;
 5. Where distances are not specifically indicated on the zoning map, the boundary shall be determined by measurement, using the Zoning Map scale;

6. Where a district boundary divides a land parcel under a single ownership into two districts, then the entire parcel shall be zoned for the less restrictive use by the adjustment of the boundaries, provided that the boundary adjustment is a distance of less than 100 feet. If the adjustment involves a distance of more than 100 feet, the procedures for a zoning district amendment shall be followed; and
7. Where physical or cultural features existing on the ground are at variance with those shown on the zoning map, or in other circumstances not covered, above, the property shall be considered according to the most restrictive residential district, temporarily, and subject to Section 8.4, Rezoning.

Section 2.3 Permitted land uses

2.3.1 Housing types

A. Definitions

The following are types of permitted housing structures and are established to provide a common terminology for housing. All drawings are for illustrative purposes only.

<p>Single Family Detached A UBC- or IBC-standard, detached dwelling unit located on a single lot with private yards on all four sides.</p>			
<p>Two-family House (Duplex) Two attached dwelling units in a single structure on a single lot (often called a duplex). The two units can be located on separate floors or side-by-side.</p>			
<p>Townhouse Two to four attached dwelling units located on separately owned lots or on a single lot where the units are lined up in a row and share side walls, individual units can be mixed vertically.</p>			
<p>Manufactured Home A HUD-standard, detached dwelling unit located on a single lot with private yards on all four sides.</p>			
<p>Multifamily Three or more attached dwelling units in a single structure on a single lot. A multifamily dwelling can vary in height from two to three stories; individual units can be mixed vertically.</p>			
<p>Upper-Story Residential A dwelling unit located on a floor above a nonresidential use.</p>			

2.3.2 Permitted use table

Unless otherwise specifically allowed, only one principal use shall be permitted on any lot in accordance with the table below.

A. Key to types of use

Permitted (“P”)	Special Use Review	Temporary Use (“TU”)	Blank Cell
“P”	“S”	“TU”	Not Allowed

1. Permitted

A “P” indicates that a use is allowed by right. Such uses are subject to all other applicable regulations of this LUDC.

2. Special use review

An “S” indicates that a use is allowed only if approved by a special use permit by the board of county commissioners in accordance with the procedures of Section 8.8. Special uses are subject to any applicable requirement of this LUDC, including, but not limited to, the specific use standards contained in Article 3.

3. Temporary use

A “TU” indicates that a use is temporarily allowed by a temporary use permit. Temporary uses may be subject to other applicable requirements of the LUDC, including, but not limited to, the procedures of Section 8.8 or any other applicable provision set forth in this LUDC.

See Section 8.9 Temporary Uses and See 3.8.1 General Requirements

4. Uses not allowed

A blank cell indicates that a use is not allowed.

5. Specific use standards

Specific Use standards may be applicable to all uses allowed by permitted use, special use permit and temporary use permits. These Specific Use Standards shall be used as determined by the specific use standards section.

6. Grouping of Uses

The administrator shall use Section 2.4 – Grouping of Uses to determine how an unlisted use should be treated.

B. Permitted uses

The following table lists the principal uses permitted by this LUDC for base districts.

Group	Specific Uses	RU	RE	RH	RL	RM	RMH	C	I	
Residential Uses	P= Permitted S=Special use									
	Single-family detached	P	P	P	P	P	P	S		
	Single-family attached	P	P	P	P	P	P	S		
	Manufactured home, single-wide	S				S	P	S		3.2.1
	Manufactured home, double-wide	P	P	P	P	P	P	S		3.2.1
	Two-family house (duplex)			P		P	P	S		
	Zero lot line house			P		P		S		
	Townhouse	S		P		P	P	S		
	Multifamily			P		P	P	S		3.2.2
	Upper-story residential	S		P		P		P		3.2.3
	Manufactured home park			S			S	S		3.2.4

Group	Specific Uses	RU	RE	RH	RL	RM	RM	C	I	
	Manufactured home subdivision	S		S		S	S			3.2.5
	Group home	S		S		S				
	Nursing home or assisted living center	S		P		P	S	P		
	Fraternity, sorority or dormitory			S		S				
	Rooming house	S				S		P		
Civic Uses										
	Airport	S							S	
	Heliport	S						S	S	
	Day care center (5 or more)		S		S	S	S	P		
	Civic club							P		
	Hospital	S						P		
	Museum, library	S		S				P		
	Park, open area	P	P	P	P	P	P	P	P	
	Place of worship	S	S		S	S	S	P	S	
	Public facility	P	P	P	P	P	P	P	P	
	RV parks and campgrounds	S						S		3.2.6
	School (public or private)	P	P		P	P	P	P		
	Technical, trade, business school	S						P		
	Utility, minor	P	P	P	P	P	P	P	P	
	Utility, major **	S							S	3.3.1
	Wireless telecommunications facility	S						S	P	3.3.2
Commercial Uses										
	Adult-oriented business								S	3.4.2
	Agriculture, general	P	S					P	P	
	Agriculture, limited	P	S					P	P	3.4.11
	Agritourism	S	S				S	P	P	
	Banks and financial institutions							P		
	Business and professional offices	S						P	P	
	Bed and breakfast	P	S	S	S	S		P		3.4.3
	Contractor's office							P	P	
	Cottage Foods	P	P	P	P	P	P			3.4.9
	Flea market	S						S	S	3.4.4
	Funeral home					S		S		
	Gas station with convenience retail							P	P	3.4.5
	Greenhouse, commercial	S						S	P	
	Hotel, motel	S		S		S		P		3.4.6
	Industrial Hemp	P	S					P	P	3.4.10
	Indoor recreation	S	S	S	S	S	S	P	P	
	Kennels and animal hospitals	S						S	P	3.4.7
	Lumberyard, wholesale							S	P	
	Medical Marijuana-Infused Product Manufacturer*							S	S	
	Medical Marijuana Dispensary*							S	S	
	Medical Marijuana Optional Premise Cultivation Operation*	S						S	S	3.4.1
	Office, general	S	S	S	S	S	S	P	P	
	Office, medical			S	S	S		P		
	Outdoor recreation	S	S	S	S	S	S	S	S	
	Parking lots and garages	S	S	S	S	S	S	P	P	
	Personal services	S	S	S	S	S	S	P		
	Recreational club or lodge, private	S	S	S		S	S	P		
	Repair, general	S						P	P	
Group	Specific Uses	RU	RE	RH	RL	RM	RM	C	I	
	Restaurant	S	S	S	S	S		P		
	Restaurant, drive-thru							P	S	
	Retail, general	S						P		
	Retail, neighborhood	S	S	S	S	S	S	P		
	Self-storage facility	S						S	P	3.4.8
	Service, general							S	P	

Service, neighborhood	S	S	S	S	S	S	P	P	
Vehicle sales	S						P	P	
Vehicle repair	S						P	P	
Vehicle service	S						P	P	
Warehouse/freight movement							S	P	
Wholesale storage and/or sales	S						S	P	
Industrial Uses									
Energy generation facilities**	S						S	S	3.5.1
Feed lots, animal waste treatment facilities, and animal waste collection facilities	S							S	3.5.2
Hazardous waste disposal	S								3.5.3
Main line railroad facility, shed, yard	S							P	
Manufacturing, general	S							P	
Manufacturing, heavy	S							P	3.5.4
Manufacturing, limited	S							P	3.5.5
Oil and gas wells	S							S	3.5.6
Research & development	S					S		P	
Waste service	S							S	3.5.7

*Subject to Alamosa County Ordinances

** Indicates that a use may be allowed subject to review and approval by the board of county commissioners; unless otherwise set forth herein, such uses shall be subject to all other applicable regulations of this LUDC. All uses that consist of an Energy Generation Facility or a Utility, Major, shall comply with the submittal and review requirements contained in the Alamosa County Guidelines and Regulations for Areas and Activities of State Interest, whether such use is proposed by a regulated public utility or by a commercial developer.

Section 2.4 Grouping of Uses

2.4.1 Grouping of uses

As set forth in the permitted use table (see Section 2.3) certain uses are grouped together based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers, how goods or services are sold or delivered, and likely impact on surrounding properties, and site conditions. Grouping uses provides a systematic basis for assigning uses to appropriate base zoning districts. Any use not specifically set forth in this LUDC is expressly prohibited, unless determined otherwise as set forth in Section 9.4.

2.4.2 Uses not grouped

As set forth in the permitted use table, due to their specific nature and characteristics, certain uses have not been grouped. Individual uses may be defined in Article 11, Definitions.

2.4.3 Public and civic use groups

- A. **Parks and open areas:** Uses focusing on natural areas consisting mostly of open vegetation, passive or active outdoor recreation areas, or community gardens, and having few structures. Parks and open areas shall include the following: agricultural lands, rangeland, wildlife habitat, undeveloped floodplain and river corridor lands, tot lot and playgrounds; mini-parks; plazas; squares; greens; neighborhood parks; botanical gardens; nature preserves and recreation trails; golf courses; cemeteries or any similar use.
- B. **Utility, major:** A large-scale utility such as water or wastewater treatment plant; water tower; electrical generation plant; solar or wind energy farms; experimental, demonstration or commercial energy generation facilities; or transmission facility or any similar use. Major utility and appurtenant facilities shall be reviewed and approved