

Hayden.
COLORADO

Code Assessment

Public Draft

July 2025

 **HAYDEN**
Resiliency Project

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INTRODUCTION

Project Background

The Town of Hayden is updating its Development Code (Title 10 of the Municipal Code) to ensure the zoning and subdivision regulations align with and support the implementation of the 2020 Hayden Forward Master Plan community vision. This Development Code update will be conducted in tandem with several other planning efforts including Public Works Studies, Water and Wastewater Rate Model Update and Infrastructure Growth Modeling, Financial Growth Impact Model, Environmental Resiliency Review, and Community Health Assessment and Action Plan, all of which will inform updates and revisions to the Development Code. The project management team consists of Town staff and several consultants with a range of technical and project management experience: Clarion Associates, Brendle Group, Texas A&M Agrilife Extension, and Zenobia Consultants. For more information about the full scope of the Hayden Resiliency Plan and Development Code project, please visit the [project website](#).

The goals of this Development Code update are to:

- Implement the Hayden Forward Master Plan;
- Provide excellent community engagement;
- Explore tools for long-term affordable and workforce housing;
- Tie infrastructure planning to development approvals;
- Incorporate regulations that help implement key ideas from the Environmental Resiliency Review and Community Health Assessment and Action Plan; and
- Make the Development Code more user-friendly and easier to understand.

Code Assessment Approach

The purpose of this Code Assessment is to establish a framework for the Development Code update. The Code Assessment is focused on:

- Preliminary issue spotting;
- Identifying potential regulatory approaches to address the issues identified; and
- Creating an organizational framework to ensure that the drafting process is comprehensive.

The Code Assessment will not be revised following community input on these issues and options presented; instead, detailed drafting approaches and responses to community feedback will be incorporated into the Development Code drafting process and reflected in the follow-up discussion with each installment of the updated Development Code. Community input is welcomed and encouraged throughout the course of the project.

This remainder of this document contains the following information:

- **Guiding Plans and Policies.** Summarizes key policies and actions established in the Town's adopted plans and studies that will inform recommended updates to the Development Code.
- **Key Areas of Improvement.** Identifies major themes that emerged from the review of the current Development Code and provides recommendations on how Title 10 can be updated to best address concerns pertinent to each theme.

- **Annotated Outline.** Outlines the organization of the updated Development Code with recommended updates for each chapter and references to how current Title 10 sections will be incorporated into each new chapter.

2022 Development Code Update

Over the course of about 12 months following the adoption of the Hayden Forward Master Plan, staff worked with the Planning Commission and Town Council to amend the Development Code to begin the process of implementing the Master Plan and to address several community-identified issues. These amendments included:

- Incorporating additional allowed housing types in the Residential Low Density (RLD) zone district;
- Establishing maximum dwelling unit size and density allocation for accessory dwelling units (considered ½ of a dwelling unit for calculating density);
- Adding a new Residential Medium Density (RMD) zone district;
- Removing maximum residential density limitations in the Central Business (CBD) and Commercial (C) zone districts;
- Updating home occupation standards;
- Establishing new community housing standards that require a certain percentage of deed restricted dwelling units (or fee- or land dedication-in-lieu) for new residential development, as recommended in the 2022 Housing Needs Assessment; and
- A new alternative design procedure that allows for applicants to request alternative equivalent compliance (development that does not meet a standard design standard, but proposes an alternative that achieves the same or better outcome).

These sections may be modified further as part of this Development Code update.

Terms

The following planning terms are used in this Assessment:

- **Context/Contextual:** The physical, visual, and functional characteristics of the surrounding area, including existing development patterns, land uses, building scale and form, street layout, natural features, and other elements of the built environment.
- **Infill:** Development designed to occupy scattered or vacant parcels of land which remain after the majority of development has occurred in an area..
- **Policy:** A guiding principle or course of action that sets a general direction or intent and provides a framework for consistent decision-making. Policies are not legally binding.
- **Principal (Use or Structure):** The primary use or activity taking place on a lot or the building occupied or designed for the primary use.
- **Redevelopment:** Any proposed expansion, addition, renovation, or major change to an existing building, structure, or aspect of development.
- **Regulation or Standard:** A rule, restriction, or other mandatory provision intended to control, require, or prohibit certain actions.

- **Three Mile Area:** Properties within a three-mile distance from the existing Town boundary where state law requires the Town to adopt a plan for land use, infrastructure, and other service provisions before annexing any property within the area.

GUIDING PLANS AND POLICIES

Hayden has several adopted plans and studies informed by data and community input. The Development Code update will be guided by and focus on implementing the land use-related goals and policies in these documents.

Hayden Forward Master Plan

The [Hayden Forward Master Plan](#), adopted in 2020, is an advisory document that describes the character and vision for the Town's future while laying out a road-map for community growth. The Master Plan includes two key sections, Policy Framework and Economic Growth Framework, that work together to achieve the Town's vision and promote resiliency through policy and area-specific recommendations. Recommendations included in the Master Plan are informed by three guiding principles:



Figure 1: Guiding Principles from the Hayden Forward Master Plan.

Policy Framework

The policy framework is comprised of policies and associated actions for achieving the vision expressed in the Master Plan. Policies and actions presented in this section are organized around six elements. A summary of each element, as well as the relevant policies and actions that will be considered as part of the Development Code update, are provided below. Each policy or action is labeled with letters and numbers that correspond to the policy framework element, guiding principle, and policy or action number. The guiding principles are Maximizing Economic Development (ED), Promote and Enhance Healthy Living (HL), and Focus on Education (FE).

Housing and Neighborhoods Element (HE)

Policies and actions within the housing and neighborhoods element are designed to preserve Hayden's existing residential neighborhoods while providing opportunities to diversify the Town's housing stock. Policies and actions in this section that may be implemented through the Development Code update include:

- **Policy HE.ED1:** Locate higher-density residential near the Town core to support Downtown activation.
- **Action HE.ED1.2:** Develop context sensitive guidelines for infill residential development that maintain the traditional neighborhood character of Hayden, such as alleys, gridded streets, street-facing front porches, and private outdoor space.
- **Action HE.ED1.3:** Consider revision of land use code requirements related, but not limited, to:
 - Reduction of lot frontage and/or size requirements for floor area
 - Accessory dwelling unit size and density allocation
 - Maximize dwelling units within multifamily buildings
 - Develop a Medium Density Residential zone district
 - Incorporation of additional housing typologies in the RLD zone district
 - Develop updated standards and regulations for Home Occupations.
- **Action HE.ED1.6:** Encourage architecture with quality materials and design reflective of Hayden's historic character.
- **Action HE.ED2.3:** Encourage a variety of housing typologies throughout the Town.
- **Action HE.ED3.3:** Provide flexibility in the code to provide affordable housing at a range of area median incomes (AMIs) or alternative formula in keeping with affordability intent.
- **Policy HE.HL1:** Provide a continuum of housing for all cycles of life to include seniors, families, single occupancy households, co-living, etc.
- **Action HE.HL1.2:** Promote development of housing for the local workforce, including multi-family, duplex, single-family and alternative housing types.
- **Action HE.HL1.3:** Adopt land use code policy revisions that allow for co-living and alternative forms of multiple unit developments.
- **Action HE.HL2.2:** Consider revision of land use code requirements related to:
 - Allowing livestock such as chickens, Nubian goats, other small animals, and bees within residential neighborhoods.
 - Inclusion of community garden space and supportive facilities as an allowed amenity for park and open space requirements.

Heritage, History, and Culture Element (HHC)

Hayden's reputation as a unique, hard-working western community is rooted in its history. Policies and actions in this section that may be implemented through the Development Code update include:

- **Policy HHC.HL1:** Preserve and enhance Hayden's historic Downtown resources.
- **Action HHC.HL1.1:** Encourage the preservation of existing historic buildings, new development, and redevelopment to use compatible architecture and historic elements unique to Hayden.
- **Action HHC.HL1.2:** Create a variety of tools and incentives to promote historic preservation.

Parks, Recreation, and Open Space Element (PRO)

The abundance of, and proximity to, recreational amenities in and around Hayden have a positive impact on residents' quality of life. Policies and actions in this section are designed to support efforts for expanding access to parks, open space, and recreational programming. Policies and actions in this section that may be implemented through the Development Code update include:

- **Policy PRO.HL2:** Provide for park access within a 10-minute walk of all residential units.
- **Action PRO.HL2.2:** Consider revision of land use code requirements related to:
 - Development requirements for providing public open space or park provision to allow the expansion and/or enhancement of existing recreational assets.
 - Provision of quality parks and open space over scale and size provided. Focus on amenities, connectivity, adjacency to public facilities, etc.
- **Policy PRO.HL3:** Preserve and protect Hayden's natural resources to maintain the rural scenic character of the community.
- **Action PRO.HL3.1:** Minimize impacts to natural resources including maintaining key view corridors and minimizing disturbance to steep slopes, wetlands, historic gulches, waterways, 100-year floodplain, and significant vegetation.
- **Action PRO.HL3.2:** Maintain large swaths of connected open space for protection of wildlife habitat, viewshed protection, and agricultural preservation.

Transportation Element (T)

Policies and actions within the transportation element are designed to guide decision-making related to creating and maintaining the Town's transportation network. Policies and actions in this section that may be implemented through the Development Code update include:

- **Action T.ED1.2:** Support the intensification of uses as part of redevelopment efforts along the Jefferson Avenue/US Highway 40 corridor.
- **Policy T.ED2:** Require future transportation networks to contribute to an efficient, well-connected circulation system that provides a logical continuation of the existing street and pathway system.
- **Action T.ED2.1:** Develop a street classification system including street and alley design standards and cross sections that future development will follow that is consistent with Public Works standards.
- **Policy T.ED3:** Evaluate and monitor parking needs as growth occurs Downtown.
- **Action T.HL2.2:** Require developers to build bicycle and pedestrian connections as part of new development.
- **Action T.HL2.5:** Identify primary multimodal routes within the Three Mile Area for required implementation or payment-in-lieu during future annexation.

Infrastructure Element (I)

The infrastructure element considers how the Town will manage the utilities, facilities, and services required to meet residents' needs as the community grows. Policies and actions in this section that may be implemented through the Development Code update include:

- **Action I.HL2.1:** Develop and adopt best practices for stormwater management.
- **Action I.HL2.3:** Promote use of natural percolation and vegetated swales to minimize the need for off-site infrastructure improvements.
- **Policy I.HL3:** Preserve a dark sky environment.
- **Action I.HL3.1:** Reduce light pollution through dark sky compliant fixtures with future development.
- **Policy I.HL4:** Require mitigation for development in high-risk areas, such as floodplains, wetlands, and steeply sloped areas.
- **Action I.HL4.1:** Develop requirements for mitigation measures and design techniques to reduce risks in hazard areas.

Community Services Element (CS)

Policies and actions within the community services element are designed to address Town staff's relationship with residents as well as residents' relationship with each other. Policies and actions in this section that may be implemented through the Development Code update include:

- **Policy CS.ED2:** Promote transparency, collaboration, and responsive governmental action.
- **Action CS.ED2.1:** Encourage resident and stakeholder participation and representation in planning efforts for housing, transportation, and public health.

Economic Growth Framework

The economic growth framework is included in the Master Plan as a way to verify that the community's vision and proposed land use mix are grounded in economic reality and that the Town's future fiscal health is maintained.

Fiscal Impact Analysis

As part of the Master Plan process, a fiscal impact analysis was conducted to educate community stakeholders about the fiscal implications of land use decisions and explain the relationship between revenue generation and service costs. The results of the fiscal impact analysis showed that both 10- and 20-year build-outs of the community represent relatively balanced mixes of revenue-generating and cost-producing land uses designed to maintain the Town's fiscal health.

Growth Objectives

The economic growth framework also includes a list of primary economic growth objectives for Hayden and its Three Mile Area, as listed below.

- Promote infill and redevelopment in Downtown where historic resources, infrastructure, and services exist.
- Encourage commercial development at the Yampa Valley Regional Airport that enhances guest experience while improving the Town's fiscal health.
- Stimulate development by providing resources that encourage development while including community benefits.
- Grow in a logical, efficient manner outward from Downtown and the airport.
- Advocate a mix of land uses that create more opportunities for residents to live and work in Hayden.
- Protect Hayden's natural resources and visual qualities through encouragement of higher-density development within the Town core.

Additional Policies

The economic growth framework includes additional policies and actions for improving Hayden's economic resiliency broadly, as well as in relationship to identified catalyst development areas. The policies and actions that may be considered as part of this Development Code update are provided below.

- **Action RE.HL1.1:** Promote higher-density residential development near the Town Core, transitioning to medium- and lower-density concepts as you approach its borders east and west.
- **Action RE.HL1.2:** Modify and adopt regulations that support a greater variety of residential

product types, including a Medium Density Residential Zone District.

- **Action RE.HL2.1:** Consider code revisions that allow for bed and breakfast, lodging, and camping facilities in areas walkable to the Downtown core.
- **Action RE.FE1.1:** Protect existing and future industrial land from re-zonings or encroachments by other uses.
- **Action RE.FE1.3:** Provide an efficient review and approvals process that creates a supportive business environment.
- **Action CA.ED1.2:** Encourage development to incorporate a consistent architectural style throughout the airport development area.
- **Action CA.ED2.6:** Provide regulatory support that encourages infill of industrial, business, and commercial near the airport.
- **Action CD.ED1.1:** Focus new residential development at medium and higher densities to make efficient use of Downtown infrastructure.
- **Action CD.ED1.2:** Encourage and incentivize inclusion of more affordable ownership units within new development.
- **Action CD.ED1.3:** Promote reasonable quantities of commercial, office, and retail uses on the first floor of buildings along Jefferson Avenue/US Highway 40.
- **Action CD.ED3.6:** Enhance and update land use code requirements related to the types of businesses permitted Downtown (i.e. craftsman, makers).
- **Action CD.HL1.4:** Ensure that the Land Use Code allows for adequate reuse opportunities for Downtown structures.
- **Action CD.HL1.5:** Consider development of an historic preservation overlay that promotes adaptive reuse and rehabilitation of historic structures.

Future Land Use Plan

The Future Land Use Plan (FLUP) guides the type, location, and intensity of development within the Town and its potential growth areas. The FLUP includes two key elements, a Future Land Use Map (FLUM) and Land Use Categories, further described below. As part of the Development Code update, the Town's existing zone district lineup will be evaluated against both existing development and the FLUP to determine if the existing zone districts are effective at both reflecting existing development and implementing the FLUP, or if new zone districts or modifications to existing districts are needed.

Future Land Use Map

The FLUM depicts the planned distribution and intensity of future land uses, organized into land use categories such as agricultural preservation, residential, commercial, and public, within the Town and the surrounding growth areas.

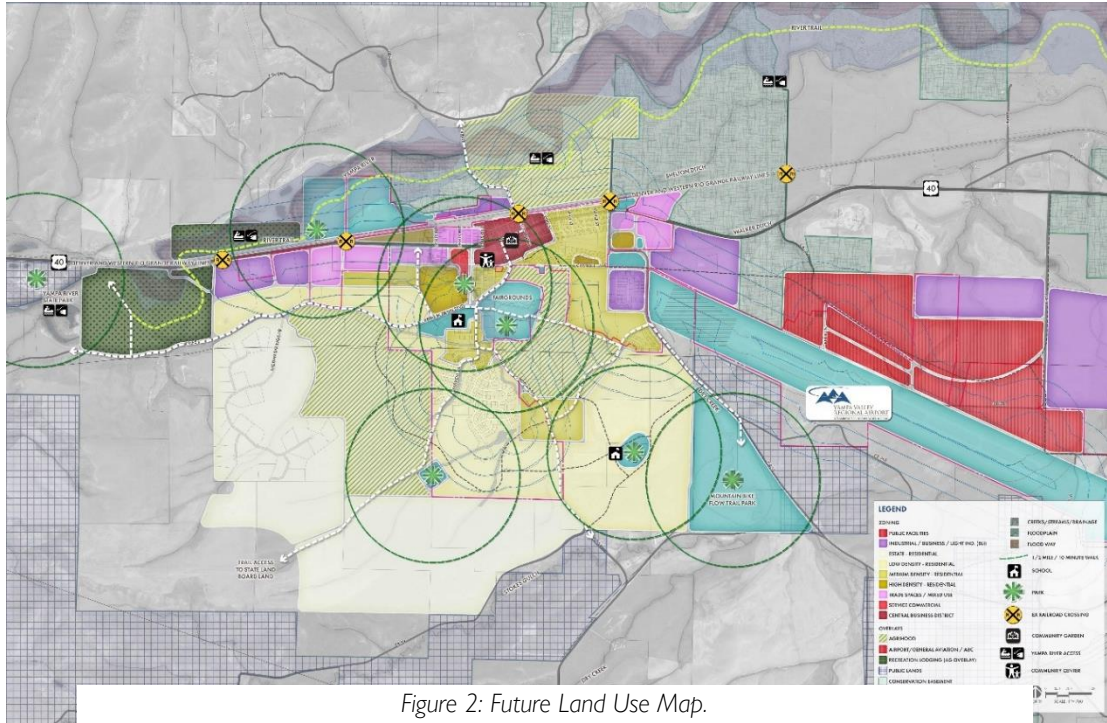


Figure 2: Future Land Use Map.

Land Use Categories

Each land use category shown on the FLUM is accompanied by a description of intended land use, density/intensity ranges, location, and other defining characteristics. There are 12 total categories, including three overlays:

- Agriculture
- Public Facilities
- Industrial/Business/Light Industrial
- Estate Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use & Trades Space
- Central Business District
- Agri-hood Overlay
- Airport Overlay
- Recreation Lodging Overlay

Town of Hayden Housing Needs Assessment

Following adoption of the Master Plan, the Town conducted a [Housing Needs Assessment](#) (2022) to understand the current and future housing needs of Hayden residents. The Housing Needs Assessment (HNA) was informed by a steering committee made up of residents, business leaders, non-profit service providers, elected officials, and Town staff, as well as a survey of local employers and input from local realtors and property managers. The HNA focused on Hayden area employers' workforce and housing demands; down valley pressure was not considered. The HNA quantified the amount of housing and associated price points needed to maintain a housing market that would serve residents based on resident income

distribution. The HNA estimated that Hayden needs between 125 to 150 units at price points between \$230,000 to \$430,000 for for-sale units and \$600 to \$2,000 for rental units by 2027 to catch up to existing demand and keep pace with future demand. This estimate accounts for rebalancing the Town's rental vacancy rate and for-sale supply, as well as for the units needed to fill future employment opportunities and accommodate retirees. The Town used the HNA to create a Housing Action Plan, as discussed below.



Figure 3: HNA housing need projection

Town of Hayden Housing Action Plan

In 2022, Hayden adopted a [Housing Action Plan](#) (HAP) that contains strategies for enabling, encouraging, and incentivizing the types of housing most needed in Hayden, as identified through the Housing Needs Assessment. The strategies presented in the HAP are sorted into two categories: (1) primary strategies that are designed to increase the Town's housing supply, and (2) additional housing tools that are intended to preserve the Town's existing housing stock and ensure a variety of housing types including accessory dwelling units, duplexes, small multifamily dwellings, and large multifamily dwellings exist to serve the local community. The strategies and housing tools that can be impacted by zoning and subdivision regulations will guide proposed revisions to the updated Development Code.

Plans, Studies, Models, and Reports Created for this Project

The following resources will be created as part of this project.

Public Works Studies, Water and Wastewater Rate Model Update, and Infrastructure Growth Modeling

Led by Zenobia Consultants, this task includes several key studies to assess and strengthen Hayden's water and wastewater infrastructure. The team will conduct an Infiltration and Inflow (I&I) Study following EPA guidelines, measuring groundwater impacts and identifying sources of inflow such as cross-connections and flooding. Water use and wastewater inflows will be compared to quantify losses and determine necessary repairs or system improvements. At the same time, a Water Loss Study will be performed using AWWA's M36 Water Loss Audit methodology to measure and address both real and apparent water losses in the distribution system, leading to specific recommendations for reducing waste and improving efficiency.

Additionally, the team will develop Infrastructure Growth Modeling aligned with Hayden's Development Code, Three Mile Plan, and Master Plan goals, helping the Town plan for cost-effective infrastructure expansion. Finally, the Water Rate Model will be updated, building off the 2017 rate study and future-approved rate structures, to ensure the Town's utilities remain financially sustainable, encourage conservation, and maintain alignment with industry best practices.

Financial Growth Impact Model

This task will be led by the Texas A&M AgriLife Extension and involves creating a tool for the Town to better understand the fiscal impacts of current and future development. The work begins with the acquisition, cleanup, and organization of key datasets, including property tax rolls, parcel geodata, retail sales tax revenue, infrastructure information, and land use data.

Using this data, the team will develop a mapped model that illustrates the revenue and cost footprint of each parcel in Hayden, enabling the Town to evaluate the return on investment (ROI) for different development types and scenarios. An Excel-based financial impact calculator will be created to allow the Town to assess future projects. Deliverables will include all associated data, maps, and infographics, along with a full methodology and analysis report and guidance on how to update the model variables over time to keep the tool useful and accurate.

Environmental Resiliency Review

This task focuses on helping the Town better understand and prepare for environmental risks and vulnerabilities. Led by Brendle Group, the environmental resiliency review includes identifying current and future hazards (such as flooding, wildfire, and extreme weather events) and assessing how climate change may intensify these risks. The team will conduct a Risk and Vulnerability Assessment (RVA) using existing data sources like the Routt County Hazard Mitigation Plan, FEMA's National Risk Index, and other tools. This assessment will also evaluate how these hazards could impact critical infrastructure. A matrix will be developed to score facilities based on risk, exposure, and adaptive capacity, and these scores will be further refined and validated based on on-the-ground insights gleaned through site visits.

Following the RVA, Brendle Group will propose mitigation strategies tailored to the identified vulnerabilities. These may include infrastructure improvements, policy updates, or operational changes. The team will work closely with the Town to review and refine the strategies and then prioritize them based on criteria such as resilience impact, urgency, and feasibility. This process will culminate in a draft Risk and Vulnerability Assessment Report that incorporates Town feedback and finalizes the findings and recommendations to support Hayden's long-term environmental resilience.

Community Health Assessment and Action Plan

Though the Community Health Assessment and Action Plan will follow a separate planning process, there will be Development Code recommendations related to community health, as it represents a key opportunity to Hayden to implement a "health in all policies" approach. The policy review, data collection, stakeholder interviews, and public engagement in this process will identify health priorities important to the community, which can be incorporated into recommendations for adjusting the Development Code. Examples may include promoting an active lifestyle through walkable and bikeable neighborhoods, access to healthy, local food, and access to healthcare services. These health priorities can be achieved through regulatory updates such as expanding use allowances across the Town's zone districts to allow for small grocery stores, cafes, and other limited personal services closer to residences and evaluating building form and design standards for opportunities to improve pedestrian and bicyclist safety, particularly Downtown.

KEY AREAS OF IMPROVEMENT

This Assessment is informed by the Clarion team's initial site visit, meetings with Town staff, and a review of Hayden's existing development regulations and adopted policies. Five major themes have been identified through this work, as described below. The recommendations in this Assessment, and subsequent modifications to the Development Code, are designed to address issues associated with each major theme.

Fine-Tune Districts and Uses

Zone Districts

Current Zone Districts

The current Development Code includes nine base zone districts and three overlay districts. The following table identifies the current zone districts and describes their general features and purpose. The Official Zoning Map, showing where the districts are currently applied, is included below the table.

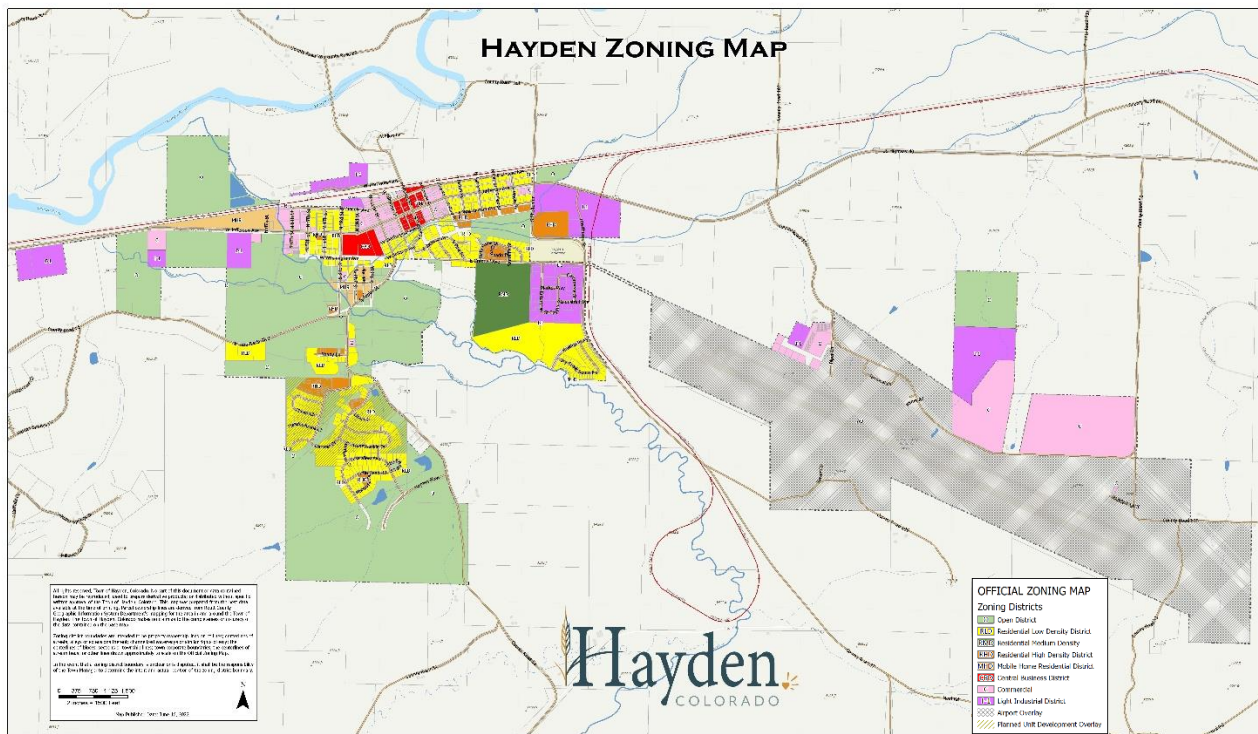
Existing District	District Description	Applied on Zoning Map?	Acres in District [1]
O: Open	Originally intended as a district to preserve agricultural land, parks, open spaces, and other public uses, the district has been commonly used as a "holding" zone at the time of annexation. A wide variety of uses (other than parks, open space, and public uses) are allowed in the district, resulting in an inconsistent development pattern across parcels zoned O in the Town.	Yes	561.9 acres 29.4% of land
RLD: Residential Low Density	The RLD district is characterized by predominantly single-unit detached dwellings on larger lots with additional use allowances including duplex dwellings and residentially compatible uses like childcare centers, community centers, and parks/open space.	Yes	191.5 acres 10% of land
RMD: Residential Medium Density	As a relatively new zone district, it is only applied on a few parcels in Town, but is intended to support medium density residential development (such as townhomes) in the transition areas between commercial uses and the low density residential neighborhoods.	Yes	39.2 acres 2.1% of land
RHD: Residential High Density	The RHD district is characterized by the highest density residential development in Town, allowing for multiunit dwellings with a density over 11 dwelling units per acre. The Development Code does not currently establish a maximum density for the district (though development is further limited by other lot and building standards such as height and setbacks). Additional allowed uses are relatively limited to residentially compatible uses and nursing/long-term/senior care facilities (RHD is the only residential district where they are allowed).	Yes	31.2 acres 1.6% of land
MHR: Mobile Home Residential District	The MHR district is applied to mobile home parks and mobile home subdivisions. Mobile homes are restricted to this district and additional land uses are significantly limited to support uses	Yes	24.1 acres 1.3% of land

Table 1: Current Zone Districts

Existing District	District Description	Applied on Zoning Map?	Acres in District [1]
	such as home occupation and childcare homes. Development of new mobile home parks within the Town is not supported within the Master Plan.		
CBD: Central Business District	The CBD district encompasses Downtown and is intended to encourage a pedestrian-friendly area with civic, office, retail, and restaurant uses as well as higher density residential development ideally located above the first floor or at the rear of buildings in a mixed-use building form.	Yes	18 acres 0.9% of land
C: Commercial District	The C district is relatively similar in use allowances and dimensional standards to the CBD district but is meant to support heavier commercial uses such as equipment rental and sales, large retail establishments greater than 25,000 square feet, and vehicle repair/gas stations.	Yes	168.6 acres 8.8% of land
I-1: Light Industrial District	The I-1 district provides locations for a variety of workplaces including light industrial uses, research and development offices and institutions, and complementary secondary uses. Additionally, this district is intended to encourage the development of planned office and business parks.	Yes	105 acres 5.5% of land
I-2: Industrial District	The I-2 district provides a location for a variety of employment opportunities such as manufacturing, warehousing and distributing, indoor and outdoor storage, and a wide range of commercial and industrial operations and complementary secondary uses.	No	Not applied
AO: Airport Overlay District	The AO district is intended to support the implementation of the Yampa Valley Regional Airport Master Plan and to minimize exposure of residential and other sensitive land uses to potential negative impacts from aircrafts and to ensure the safety of airport operations.	No	738.7 acres 38.6% of land
AGR: Agri-Hood Residential Overlay District	The AGR overlay district functions as a type of Planned Unit Development (PUD) and allows for clustered residential development within preserved agricultural areas that support uses such as food-production space, event space, trails, and community and education centers.	No	Not applied
RL: Recreation Lodging Overlay District	The RL overlay district functions as a type of PUD and allows for temporary lodging such as recreational vehicle parks, campgrounds, cabins, or yurts and associated amenities and services with direct public access to the Yampa River.	No	Not applied

Notes:

[1] Estimated acres based on best-available mapping data.



Proposed Updated Lineup of Zone Districts

Updates to the Town's zone districts helps ensure the Town remains responsive to changing conditions and development trends, supports the implementation of the Master Plan, and establishes the framework that guides both current and future development. The goal of these updates is to expand the Town's zoning toolbox and to allow for appropriate development to occur by-right where feasible as well as provide flexibility in allowing a range of development types. In evaluating the lineup of zone districts in any Code update, we typically consider the following:

- Is the intent of each district clear and does the district name match the intent?
- Is the district currently used (mapped) or is it unnecessary or obsolete?
- Do any districts need to be "retired" (currently zoned parcels remain and are subject to current district standards, but no future land may be rezoned into the district)?
- Are any districts so similar in purpose and standards that they overlap and could be consolidated?
- Are the dimensional standards for each district (setbacks, density, and height) appropriately tailored to both existing development and to the purpose of the district?
- Do the uses allowed in each district match the district's intent?

The proposed zone district structure is provided in the table below. The first column identifies the zone districts in the current Development Code. If a new district is proposed, the first column will read "[New]." The second column identifies the proposed district for the updated Development Code. If an existing district is proposed to be removed, the second column will read "[Remove]." A more detailed version of this table containing recommended updates to dimensional requirements, use allowances, and mapping considerations can be found in the Annotated Outline. Additional recommendations for specific development types (e.g.,

mixed-use or multi-unit dwellings) across all applicable zone districts are included in the subsequent key theme, Provide Objective Development Standards.

Table 2: Proposed Zone District Lineup

Note: This table contains recommendations for discussion purposes only. Changes to the Hayden Zoning Map require notice and a public hearing.

Current District	Proposed District
Residential Districts	
RLD: Residential Low Density	RLD: Residential Low Density
RMD: Residential Medium Density	RMD: Residential Medium Density
RHD: Residential High Density	RHD: Residential High Density
MHR: Mobile Home Residential District	MHR-R: Mobile Home Residential-Retired
Mixed-Use and Nonresidential Districts	
CBD: Central Business District	CBD: Central Business District
C: Commercial District	MU-C: Mixed-Use Commercial
I-1: Light Industrial District	MU-I: Mixed-Use Industrial
I-2: Industrial District	I: Industrial
Special Districts	
[New]	A: Aviation District
O: Open	[Remove]
[New]	OS: Open Space
[New]	P: Public
Overlay Districts	
PUD: Planned Unit Development Overlay District	PUD: Planned Unit Development Overlay District
AO: Airport Overlay District	AO: Airport Overlay District
AGR: Agri-Hood Residential Overlay District	[Remove]
RL: Recreation Lodging Overlay District	[Remove]

Relationship to Future Land Use Plan

A future land use category is broadly identified and can be implemented through more than one zone district, as shown in Table 3. The zone districts listed for each land use category presumptively implements that designation and is therefore an appropriate option for zoning or rezoning of land within that designated area on the FLUM. The Town Administrator may also interpret the FLUM to allow the inclusion of other proposed zone districts based on the consistency of the development scale and uses allowed in the proposed zone district with existing, proposed, or allowed development on abutting and adjacent lots.

Table 3: Future Land Use Map Implementation

Land Use Category	Implementing Zone Districts
A: Agriculture	None (no parcels mapped on FLUM)
Agricultural Overlay/RL: Recreation Lodging	OS: Open Space P: Public PUD: Planned Unit Development Overlay

Table 3: Future Land Use Map Implementation

Land Use Category	Implementing Zone Districts
Residential Overlay/AGR: Agri-hood Residential	PUD: Planned Unit Development Overlay
ER: Estate Residential	None (designation is outside of Town boundaries)
LDR: Low Density Residential	RLD: Residential Low Density
MDR: Medium Density Residential	RMD: Residential Medium Density
HDR: High Density Residential	RHD: Residential High Density MHR-R: Mobile Home Residential-Retired CBD: Central Business District
MU: Mixed-Use/Trades Space	RHD: Residential High Density MU-C: Mixed-Use Commercial MU-I: Mixed-Use Industrial
CBD: Central Business District	CBD: Central Business District MU-C: Mixed-Use Commercial
IBLI: Industrial/Business/Light Industrial	MU-I: Mixed-Use Industrial I: Industrial
ILBC Overlay/GA: General Aviation/Airport Business and Commercial	MU-I: Mixed-Use Industrial A: Aviation AO: Airport Overlay District
P: Public Facilities	OS: Open Space P: Public

As a result of the Development Code update and considering the changes to existing conditions and development trends in the Town since the adoption of the Master Plan, the Town may identify necessary revisions to the Future Land Use Plan. These revisions can be made in conjunction with or following the adoption of the new Development Code.

Modernized District Formats

Along with the restructuring and reorganization of the zone district lineup, the updated regulations will include an attractive layout, consistent structure, and effective use of tables and graphics. Each zone district layout will include the following:

- **Purpose Statement.** The current Development Code includes intent statements that conflict with existing conditions, do not align with future land use goals or capabilities, and are often too broad in their description of the area. These statements will be redrafted to identify the role and long-term policy purposes of the zone district and where necessary, differentiate somewhat similar districts (e.g., Mixed-Use Industrial and Industrial). Additional language will clarify that purpose statements are not regulatory, but provide context for the understanding of the intended development within the district.
- **Summary of Dimensional Standards.** In addition to a consolidated summary table of each district category (i.e., Residential, Mixed-Use and Nonresidential, and Special) at the beginning of their respective sections, each individual zone district will include a table with the lot- and building-related dimensional requirements for that district.

- **District-Specific Standards.** Where applicable, development or design standards specific to a particular district will be listed after the table of dimensional standards. Two examples of suggested zone district layout from other communities are shown below.

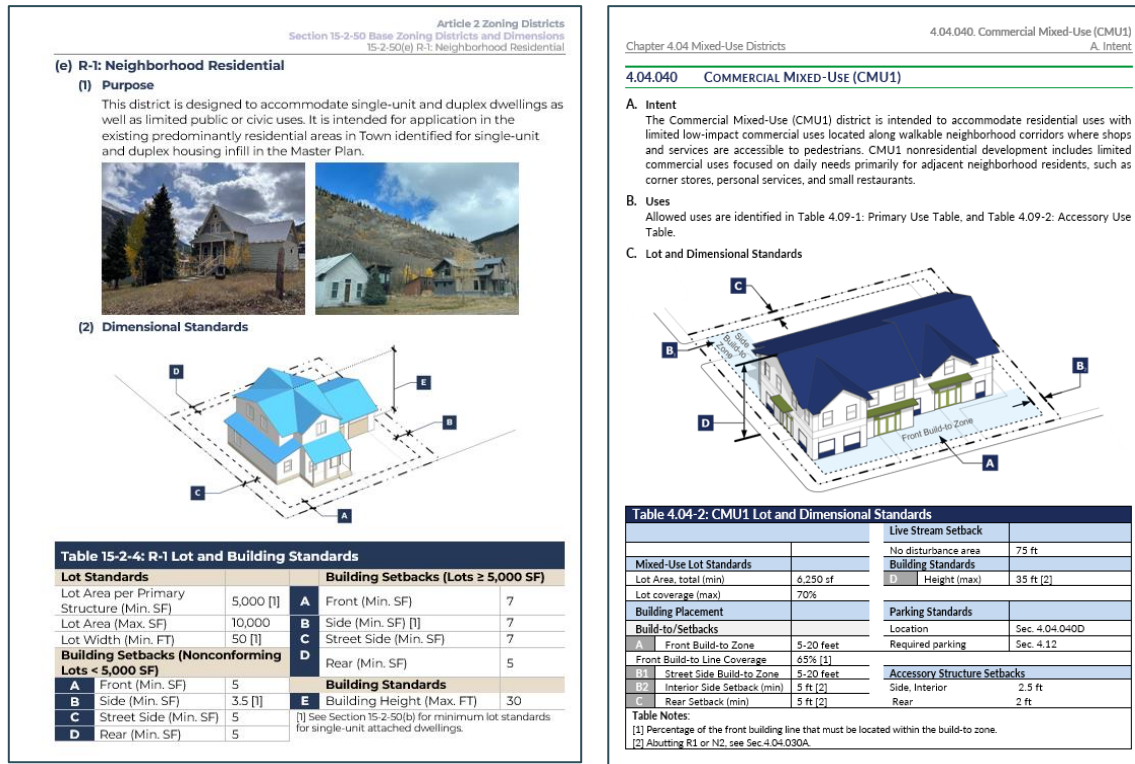


Figure 4: Examples of Zone District Summary Pages

Use Regulations

Current Uses

Uses can age over time, with new uses arising and older uses moving out. The current Uses by Zoning District Table (Use Table) will be reviewed and revised to include new uses, reworked to update or remove outdated uses (such as print shops), and simplified through the consolidation of similar uses (such as light industrial uses). As part of this process, all use types and use categories will be clearly defined, and principal, accessory, and temporary uses will be identified in the Use Table.

Residential Uses

Identifying a wider variety of housing types in the Development Code helps educate the public and developers about opportunities to construct different housing products that meet a range of lifestyle and price preferences while maintaining the Town's workforce housing stock. As part of the Development Code update, the Town should consider expanding housing types to include:

- **Co-housing or courtyard development.** This residential development type is often defined and characterized by small individually-owned detached dwelling units on a single lot with common open space and sometimes including larger community kitchen and dining room intended for communal use on a regular basis.



Figure 5: Silver Sage Village Cohousing – Boulder, CO (left) and Heartwood Cohousing – Bayfield, CO (right)

- **Tiny homes.** The Development Code update process will include exploration of the extent to which the Town will allow the construction of tiny homes and how those structures are specifically defined. Tiny homes built on foundations that comply with the Building Code are often classified as single-unit detached dwellings while those that meet the state-level definition are separately defined and maintain different, more limited, use permissions. Tiny homes can also be constructed as part of courtyard or small lot developments.



Figure 6: River Run Colorado Tiny Home (Silt, CO)

Tiny Home Definition (CO HB 22-1282)

A structure that (1) is permanently constructed on a vehicle chassis (2) is designed for long-term residency (3) includes electrical, mechanical, or plumbing services that are fabricated, formed, or assembled at a location other than the site of the completed home (4) is not self-propelled and (5) has a square footage of not more than 400 square

- **Small lot development.** This form of residential development allows for the development of single-unit detached dwellings on smaller lots in infill development settings. The appropriate size and dimensions of small lots are created in relationship to a base zoning district and are usually scaled to allow the subdivision of a standard lot into two or more smaller lots.
- **Cluster development.** This form of residential development allows for the reduction of minimum lot size requirements in exchange for the preservation of environmentally sensitive areas, open space, and agricultural lands. The current Development Code allows for cluster development within the agri-hood overlay district, but it is recommended to allow for cluster development in both the RLD and RMD districts.

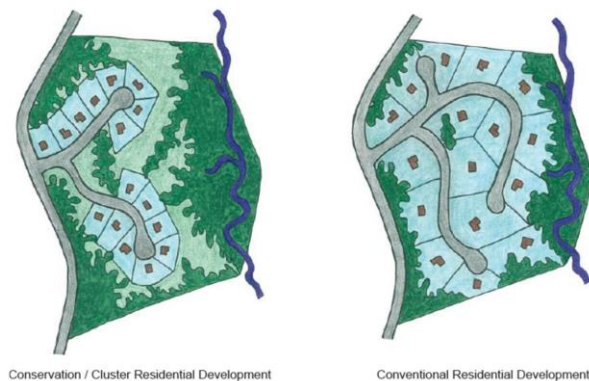


Figure 7: Example of Cluster and Conventional Development

Updates to the residential uses will also require revisions to bring the Development Code into compliance with **HB 24-1007 (Prohibit Residential Occupancy Limits)**. This bill prohibits applicable local governments in Colorado from limiting residential occupancy based on whether the occupants are related. The definition and use of the word “family” will be removed and replaced with a definition of dwelling unit that will limit occupancy based on adopted building code or safety code, or by any applicable state or federal law or regulation, or by affordable housing guidelines applicable to the dwelling unit.

Unlisted Uses

The Development Code will clarify the interpretation procedure and criteria to allow an administrative determination for whether a use not expressly listed in the Use Table should be allowed in a particular zone district. The standards will require review of the nature, function, size, duration, impacts, and other characteristics of the use in relation to those of listed permitted uses in the district, as well as in relation to the purpose of the district. The criteria will also clarify when unlisted uses that have been permitted through interpretation should be formally added to the Use Table via Development Code Text Amendment.

Use Permissions

Title 10 currently identifies four use allowance categories:

- R: Uses Permitted by Right
- M: Minor Uses
- A: Administrative Uses
- C: Conditional Uses

As they exist today, there is very little distinction between the Minor Use and Administrative Use category descriptions in Title 10. To simplify the Use Table and overall use review process, we recommend combining the Minor Use and Administrative Use categories to create only three categories (uses permitted by right, Administrative Uses, and Conditional Uses). Under the new structure, the requirement for notification of an approved permit would be carried forward as part of the Administrative Permit process. Further discussions will be needed to evaluate the role of the Conditional Use Permit process and whether or not it should be limited to uses with unique impacts on the neighborhood or community.

In addition to consolidating the allowance categories, individual uses will be evaluated and updated to ensure the appropriate level of permission is required for each use. For example, as new residential uses are added, the full range of housing types will be evaluated to ensure the appropriate types are permitted in each zone district, such as exploring the opportunity to allow courtyard development or small townhome projects in the Residential Low Density (RLD) district. Use allowances may also be expanded to permit nonresidential activities in residential areas, such as urban agriculture, home occupations, and home daycares, with appropriate use-specific standards. The goal is to make desired uses easy to approve while reserving the Administrative and Conditional Use designations for those uses that require a higher level of scrutiny and additional public notification or hearing due to the potential impact on surrounding properties. All of the proposed changes to use permissions will be reflected in the updated Use Table, which will also be cleaned to eliminate confusion between use permissions and public site plan review hearing requirements.

Use-Specific Standards

In conjunction with the review of use permissions discussed above, new use-specific standards can be drafted to allow for more permitted (by-right) uses while acknowledging the potential impacts of certain types of development. For example, rather than requiring a Conditional Use Permit for motor vehicle service and repair uses in the Light Industrial district, use-specific standards could be added to limit the overall size and operational characteristics such as hours of operation and accessory outdoor storage in order to allow them by-right in the district. The update may also include revisions to existing use-specific standards, such as separating and updating standards for childcare centers and childcare homes to reflect the differences between each use and identifying and removing use regulations that act as a barrier to adaptive reuse of existing structures.

Provide Objective Development Standards

Current Site Planning and Development Standards

Chapter 10.24 of the Development Code includes site planning and development standards organized into the following categories:

- Environmental Considerations
- Flood Regulations
- Landscape Design
- Buffering and Screening Techniques
- Fences and Walls
- Community Design Standards (Compact Urban Growth, Design Elements, and Neighborhood Design Principles)
- Residential, Commercial, and Industrial Architecture
- Lighting
- Signs
- Community Housing Standards
- Subdivision-Related Standards

The regulations in this chapter are generally written with a high level of discretion and flexibility for new projects, which can be useful for addressing site-specific constraints, but does little to support predictable outcomes for Hayden residents, project designers, or Town staff. The Development Code update will include significant focus on incorporating measurable and objective development standards that can be administered and enforced consistently across staff and over time. The following sections highlight the most significant opportunities for improvement – **a more detailed list of recommendations for each site development element can be found in the [Annotated Outline](#).**

Applicability of Code Provisions

Development in Hayden ranges from greenfield development (new construction on vacant land), to building expansions, to adaptive reuse of existing structures, to partial or full site redevelopment. As applicants move down this range into partial or full redevelopment, considerations should be made for how existing site features may impose constraints that would prevent certain projects from meeting the criteria of every applicable development standard. As part of the Development Code update, we recommend creating a proportional compliance chart that establishes a sliding-scale approach to development standard applicability, allowing staff to make site or project specific adjustments targeted to the proposed project. By providing different levels of applicability for projects of different sizes, property owners are encouraged to make small site improvements without fear of having to come into full compliance with every Code provision. An example proportional compliance chart from another zoning ordinance is provided below.

Table 26-1: Applicability of Development Standards		
Structure Change <i>Measured by external increase in structure size (e.g., building height or floor area)</i>	Site Feature Change <i>Measured by % of site feature changed compared to overall area</i>	Required Compliance <i>With applicable measurable standards</i>
Less than 10%	Less than 10%	Not required
10% to 74.9%	10% to 74.9%	<ul style="list-style-type: none"> Compliance with measurable standards roughly equivalent to percentage of increase Compliance beyond maximum required for new development is not required
75% or more	75% or more	Full compliance

Figure 8: Example of Proportionate Compliance Chart

Infill Development, Redevelopment, and Adaptive Reuse

It is crucial for the Development Code to allow for and encourage infill development, redevelopment, and adaptive reuse projects to advance the Town's long-term resiliency. These types of projects make efficient use of existing infrastructure and public services, reducing the need for costly extensions and preserving limited natural resources, including water. Further outward expansion may strain the Town's water supply and increase infrastructure maintenance burdens. Infill and redevelopment parcels can often present specific challenges ranging from unusual or smaller-than-required lot sizes, the need for environmental cleanup prior to redevelopment, and issues of compatibility with surrounding properties. The current Development Code includes standards that can limit type of uses allowed on a property, the design and dimensional standards applied to buildings on a lot, and the amount of parking required in ways that can deter redevelopment.



Figure 9: Adaptive Reuse of Granary

Removing regulatory barriers in the Development Code will include:

- Setting thresholds that determine when and to what extent different Code standards apply by development type or project size (See Flexibility);
- Modernizing minimum parking requirements and allowing for parking alternatives (e.g., on-street parking or shared parking); and
- Tailoring development and design standards by development type (See Community Design and Architectural Standards).

Access and Mobility

Hayden currently lacks a cohesive sidewalk network, with many residential areas featuring limited or intermittent pedestrian infrastructure, due to inconsistent interpretation and administration of the current Development regulations. The updated Development Code will include a clear sidewalk requirement for new

subdivisions, new development, and certain infill/redevelopment projects, especially when abutting properties have a sidewalk, trail, or other pathway to connect to.



Figure 10: Examples of Hayden Streets, Sidewalks, and Crosswalks

The provision of sidewalks is particularly important to the future planned mountain rail station location on North Poplar Street south of West Iron Horse Road. Considering many businesses are located along Highway 40 and more dense residential development is located south of Highway 40, residents and visitors using the train would benefit from safe and clearly delineated paths of travel between the platform and amenities or home.



Figure 11: Preliminary Proposed Station and Platform for Mountain Rail

To allow for site-specific adjustments, the regulations will include a waiver provision that allows the Town Administrator to waive the requirement under certain circumstances, such as within industrial districts or where construction of new sidewalk is impractical due to existing conditions on and adjacent to the site.

Outside of the Development Code, the Town should consider creating a comprehensive street network plan and map that outlines the layout, type, and future expansions of streets, including major arterials and local roads. The plan would help create a framework to guide future street connections and ensure that development occurs in a coordination manner rather than as a patchwork of isolated subdivisions. This can help set clear expectations for developers and enhance the overall mobility throughout Town by providing access to key destinations and supporting multi-modal transportation options such as walking and biking.

Community Design and Architectural Standards

Hayden's current Development Code includes community design standards that generally reflect the goals of the Master Plan for compact urban form, walkable neighborhoods, and diverse housing types, but they are written in subjective or aspirational terms that can be difficult to administer consistently. For example, phrases like "strong consideration should be given" and "shall grow by designing interconnected neighborhoods" lack

the clear and measurable criteria necessary for predictable outcomes. This can result in uncertainty for both applicants and staff and has limited the ability of the Town to ensure consistent quality in new development.

The updated Development Code will include a different approach to community design standards that shifts from using “should” with discretionary considerations to using “shall” with objective, outcome-focused regulations. The design standards will build off the current architectural standards that address site design (how buildings relate to streets, sidewalks, parking, and public gathering spaces) and building design (massing, façade details, and placement of buildings). The updated standards will be scalable and cost-sensitive, appropriate for Hayden’s context as a small town without a dominant architectural style, but with a desire to ensure quality and resilient development.



Figure 12: Examples of Hayden Nonresidential and Mixed-Use Development

To maintain both quality and practicality, the updated standards should include clear options for compliance that reflect the diversity of development types and contexts in Hayden. Flexibility can be achieved by tailoring standards to different locations, such as differentiating between requirements for mixed-use or commercial development along Highway 40 versus in other areas of town. For example, a requirement can be added that first floor spaces facing Highway 40 must be occupied by nonresidential uses, such as restaurants, small retail shops, or offices.

Additionally, the same design standards should not be applied to commercial and industrial development. Regulations that address the design of industrial development should help maintain a basic level of quality and compatibility without imposing excessive aesthetic expectations. For example, locating loading and service areas at the side or rear of the building whenever possible and encouraging opaque or high-opacity screening with fencing or landscaping



Figure 13: Hayden Industrial Building

Design standards for multi-unit residential buildings and mixed-use buildings (structures that contain both residential and commercial uses) will be updated to better ensure locally-appropriate, high quality, and context-sensitive design, especially in transition areas and near low density residential properties. The Development Code will also clarify how and when residential-specific requirements (such as the provision of usable open space) are applied in a mixed-use development or within a mixed-use district.



Figure 14: Hayden Mixed-Use Development

Finally, incorporating administrative tools such as the Adjustment procedure (see Clarify Development Review Procedures) to approve minor modifications to the design standards will help the Code remain adaptable while still upholding consistent expectations for design and site development.

Subdivision-Related Standards

With the health and longevity of public facilities at the center of the Resiliency Project, the Development Code would benefit from the establishment of adequate public facilities standards. These standards ensure that proposed subdivisions will be served by adequate public facilities including streets, water, and sewer, that meet the Town's adopted level of service standards. The standards would require applicants to submit a public facilities information report that details the proposed development's size, location, and potential impacts on infrastructure and a determination of adequacy must be made before the development can be approved. If public facilities are insufficient, staff would be able to condition the approval based on reduced density, phased development, or developer-funded improvements. Adequate public facilities standards could be applied at the subdivision-level only, or it could be applied to a wider range of development applications such as Major Site Plans or Conditional Use Permits.

The current Development Code contains open space dedication requirements for all new subdivisions. These requirements include options for compliance based on generally defined park, trail, and open space types with minimal guidance or prioritization on which type would be preferred. The Code also lacks a solid distinction between dedicated parks or open space and other usable open space on a site (private or public). The updated Development Code will include a simplified approach to open space dedication or fee in-lieu calculations with language that helps both applicants and staff determine the amount and type of open space that best suits the proposed development and ensures new development is making a fair share contribution to the community.

Outside of the Development Code, the Town should consider creating a comprehensive parks, open space, and trails plan that identifies priority areas for parks and open space, helping staff and decision-makers determine where land or fees should be directed when subdivisions are required to dedicate parkland under the zoning code. This ensures those dedications are strategic and aligned with community needs. Together with a comprehensive street network map, the plan could highlight areas where expanded park or trail access is needed to help inform annexation, rezoning, and subdivision agreements.

Establish Efficient and Resilient Infrastructure

As part of the broader effort to support resiliency through the Development Code, the public works studies, financial growth impact modeling, and environmental resiliency review project tasks will provide technical foundations for specific Code updates that may include:

- **Public Works Studies/Water Loss Study**
 - Update water adequacy requirements in development procedures.
 - Require water efficiency strategies or documentation as part of subdivision or site plan review.
- **Financial Growth Impact Model**

- Introduce fiscal impact considerations into rezoning or annexation criteria.
- Inform subdivision agreements or proportional fee calculations.
- Support adoption of financial tools like impact fees or tiered infrastructure service areas.
- Offer a data-driven basis for incentive provisions (e.g., density bonuses tied to fiscal benefit).
- **Environmental Resiliency Review**
 - Update development standards based on hazard exposure (e.g., floodplain, wildfire).
 - Inform incentive provisions for developments that incorporate resilient building practices or on-site infrastructure improvements.
 - Add resilience-based decision-making criteria to review processes (e.g., for major site plans or subdivisions).

The strategies above may be adjusted, eliminated, or expanded upon depending on the outcome of each of the other project tasks. The project team will work closely with staff and the community to understand if and how the environmental and fiscal impacts identified can be best addressed within the Development Code.



Figure 15: Residences Near Wetlands



Figure 16: Dry Creek Flooding

Clarify Development Review Procedures

In our experience, improving the substantive content of a code also improves the review and decision-making process. As part of this update, Hayden's development review procedures will be updated along with the subject matter regulations to improve staff and applicant navigation. The redrafting process will be focused on the following best practices:

- **Streamlining Approvals.** Applications should be decided at the "right" level. Where development can be reasonably regulated by the standards in the Development Code (and other applicable manuals or specifications) without significant public input, development review and decision-making should be administrative. Where development proposals require unique applications of Town policy or benefit from wide public input, development review should be quasi-judicial or legislative.
- **Targeting Public Input.** Formal public input on an application via a public hearing should also be right-sized and limited to those projects where a hearing is either required by law or beneficial to the decision-maker(s). Apart from these settings, community input can be invited in other forms, such as community meetings or written comments on an application and focused on the front end of a project as it is being designed, rather than late in the process as part of the application decision.
- **Balancing Flexibility.** Creating some regulatory flexibility through procedures that allow site-specific adjustments is beneficial to both the applicant and the community.

Common Review Procedures

Section 10.12.020, General Procedures and Requirements, explains the steps that apply to all development applications in the Code. We recommend carrying this section forward with minor modifications for clarity and consistency.

- 1. Pre-Application Conference**

Provides an opportunity for the prospective applicant to meet with Town staff to discuss the proposed project, site-specific constraints, and general application requirements before submitting their final proposal.

- 2. Community Meeting**

Serves as a venue for applicants proposing 24 or more new dwelling units to provide information to the public prior to submitting an application. Further discussions should be had as part of the Development Code update to determine the intent of the Community Meeting and consider whether some nonresidential projects should be included as well.

- 3. Application Submittal**

Includes information regarding who can submit an application and how the Town will process multiple entitlement requests concurrently. This section will also be updated to clarify the procedure for requesting an application extension when an applicant fails to submit a complete application (e.g., withdrawal versus deny without prejudice).

- 4. Application Processing**

Describes how Town staff and outside agencies will review complete applications.

- 5. Public Notice**

Establishes general rules for notification and publication (e.g., what constitutes “posted” and “published” notice) and who (the Town or the applicant) is responsible for placing posted notices.

- 6. Hearing, Review, and Decision**

Includes procedures pertaining to the conduct of a meeting or public hearing before the decision-making body and the body’s review and decision on the application. This section also describes generally the types of conditions that may be attached to certain forms of approval.

- 7. Post-Decision Actions and Limitations**

Describes actions that occur after a decision has been rendered, including appeals, approval time limits and extensions, and modifications to approved requests. Provides a timeframe in which appeals must be filed following a final decision.

Specific Review Procedures

Existing Procedures

Chapter 10.16 of the Development Code currently includes specific procedure sections organized as follows:

- Master Plan Amendment
- Code Text Amendment
- Zone Change
- Conditional Use
- Planned Unit Development
- Subdivisions

- Historic Site Designation
- Location, Character, and Extent
- Appeal and Variance
- Appeals to Council
- Alternative Design
- Right-of-Way Vacation
- Annexation
- Vested Property Right
- Site Plan

Chapter 10.16 also includes Table 10.16-1: Review Process Chart, which describes the notice requirements, approval authority, required public meeting and/or hearing, appeal body, and final documentation required for each application type listed above, as well as additional application types that do not have a their own section heading in Chapter 10.16, such as Building Permit Review and Flood Hazard Area Permit. Based on feedback from staff and Development Code users, this table will be updated in coordination with the organizational edits described below to limit duplication of information and improve overall understanding of specific review procedures. It will also include the codification of any development application types or procedures that are not currently included in the Code, or those that are referenced in the Code but not explicitly described (such as Administrative Permits).

Organization

The level of procedural information provided for each application type varies. In some instances, such as Section 10.16.110, Appeal and Variance, the processes for two separate flexibility and relief procedures are combined within one section. This can create confusion around which steps are required for each application request and which review criteria the application will be reviewed against. The organization of the existing procedures could be better standardized to ensure that all steps of a specific procedure are identified, which would help staff and applicants navigate the requirements of specific application types. At a minimum, each procedure should describe:

- **Purpose.** What is this procedure used for?
- **Applicability.** When is this specific process required?
- **Process.** What are the steps for approval (particularly any that are specific to the given application type)?
- **Review Criteria.** What requirements must be satisfied for review bodies to approve the application?
- **Appeals.** Can the decision be appealed, and to what body?
- **Expiration.** Is there a time limit on an approval, and can that time limit be extended?

Additionally, process-specific flowcharts will be added to graphically depict the steps required for each type of application, from submittal through final decision.

Flexibility

Flexibility can be provided in the Development Code by establishing a mechanism for the review of minor modifications to specific dimensional and development standards. One such process already exists in the form of the Alternative Design Request; however, this process is vague, allowing applicants to propose alternatives to “applicable design standards” which are not clearly defined and reviewing proposed alternatives against a set of criteria that are inherently subjective, such as “The proposed alternative imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirement.” As part of the Development Code update, we recommend removing the Alternative Design Request process, which is difficult to administer due to a lack of specificity, and replacing it with a new Adjustment process that allows

the Manager (or the applicable decision-making body) to review and decide on numerical modifications to objective standards.

The Adjustment process allows minor adjustments (e.g., by 10 or 15 percent) from dimensional standards (such as setbacks, lot area, or height) or development standards (such as the amount of required off-street parking) if the adjustment does not have a negative impact on surrounding properties and results in development that conforms with the general intent of the district where the adjustment is proposed. In addition to clear standards of approval, the procedure includes specific expiration and amendment standards to help ensure the provision is not abused. These kinds of minor departures from standards can be reviewed and decided upon administratively based on an established set of measurable standards, or concurrently by the applicable deciding body if included as part of an application subject to public hearing. These adjustments are accomplished outside of the Variance process, and as such, do not require the applicant to demonstrate hardship. An example of allowable Adjustments from another zoning ordinance is provided below.

Table 4.17-1 Administrative Adjustments to LUDC Standards	
LUDC Standard	Allowable Administrative Adjustment (max. %)
Site Standards	
Lot area, min	15
Lot coverage, max	15
Lot Dimensional Standards	
Front setback, minimum	15
Side setback, minimum	15
Rear setback, minimum	15
Encroachment into setback	15
Building Standards	
Building height, maximum (excludes WCF)	15
Accessory building height, maximum (excludes WCF)	15
Development Standards	
Building Orientation	15
Architectural Design	15
Sign height, maximum	15
Fence or wall height, maximum	15, one foot maximum
Minimum landscaping requirements	15

Figure 17: Example of Adjustment Allowances

Review and Decision-Making Bodies

With Hayden's small population, it can be difficult to recruit and maintain membership on all of the Town's boards and commissions. This is particularly challenging when it comes to staffing the Board of Adjustment, which does not hold regular meetings due to a lack of items for review. As part of the Development Code update, we recommend expanding the role of the Planning Commission to serve as a joint Planning Commission/Board of Adjustment. Under this format, the Planning Commission could review and decide on appeals and variance requests in addition to the applications the Commission currently has authority over.

Another board that is likely not needed in Hayden is the Historic Commission. Section 10.12.070 of the Development Code states that the Planning Commission will serve as the Historic Commission. However, the Town does not currently have any historically designated buildings or structures and is unlikely to pursue any designations in the immediate future. As part of this project, we recommend removing the Historic Commission and associated Historic Site Designation process from the Code in favor of allowing future requests for historic designation to be processed by Routt County through their existing channels.

Technical and Administrative Content

The current Development Code contains information that is either technical in nature or otherwise not necessary to carry forward as part of this update. Examples include extraneous details related to decision-making bodies and referral agency lists. This type of content makes the Development Code longer and is better suited to live outside the Code in an administrative manual or on the Town's website (based on the Town's preference). Once the content is relocated outside the Code, amendments to technical or administrative standards can be addressed without undergoing a formal Code Text Amendment.

Create a More Use-Friendly Development Code

This project provides an opportunity to create a well-organized, well-illustrated, user-friendly set of regulations for Hayden that will help improve the efficiency of review processes and clarify the rules for land development. In addition to the range of content changes described in this Assessment, the following changes are proposed to make the Development Code a more user-friendly document.

Document and Page Layout

The Development Code is currently available via the online platform Municode. In addition to an online version of the Development Code, many planning departments also retain an editable and formatted digital version, usually as a Microsoft Word or PDF file. This additional version allows for enhanced formatting and presents information in a more user-friendly format, strengthening the reader's ability to understand the context for specific provisions. The Word or PDF version also allows staff to keep an internal record of any proposed edits and revisions to the document.

The updated Development Code will feature a new document layout with content-specific headers (showing section references for that page), footers, page numbers, and illustrations with captions. The content of the Development Code will also be organized with user comprehension and navigation in mind. The sample below shows how layout and graphics can be incorporated to help code users identify key zone district information and cross-references to related development standards, such as landscaping and lighting standards.

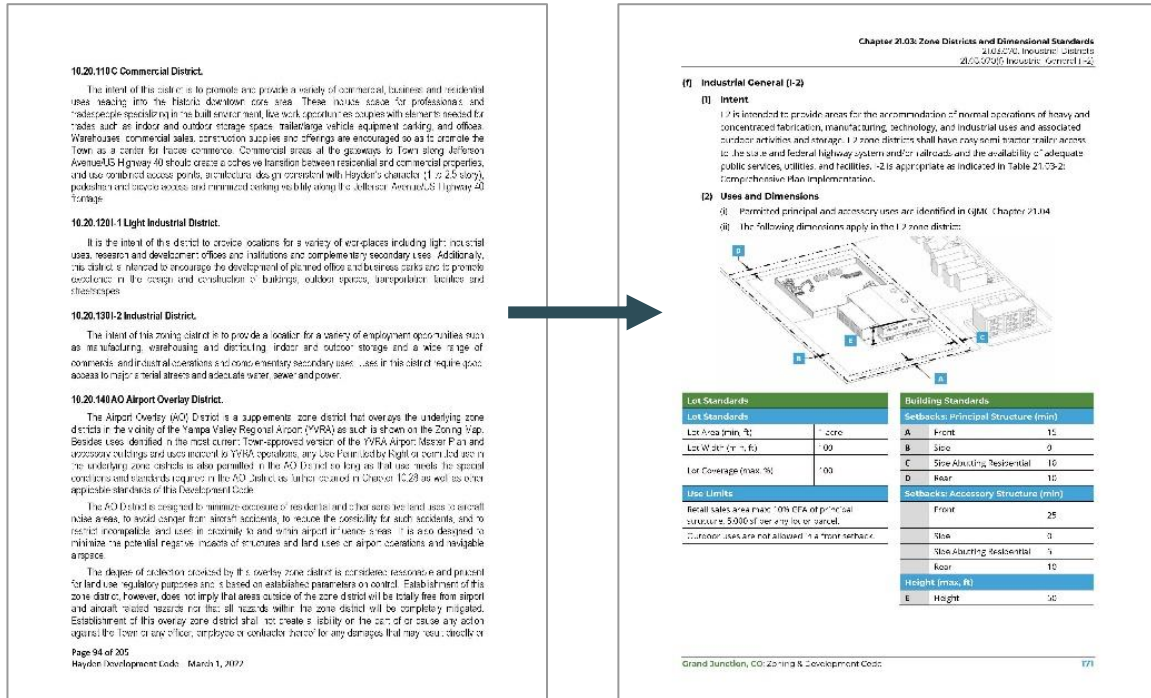


Figure 18: Hayden Development Code (left) and an example page layout from another code (left).

Graphics and Illustrations

Illustrations, tables, and flowcharts will be used throughout the updated Development Code to explain standards and summarize detailed information. Graphic elements will be incorporated into the Development Code to support the following standards:

- **Zone districts.** District diagrams can communicate the intended scale and form of a zone district while also including key information related to lot and building standards, such as lot area, lot width, building setbacks, and height requirements.
- **Development standards.** Development standards graphics may include tables for parking requirements, illustrations of outdoor lighting and building design requirements, and diagrams depicting rules of measurement and site layout standards.
- **Administration and procedures.** Process-related flowcharts can clarify (and visually communicate) the approval process for specific development applications.

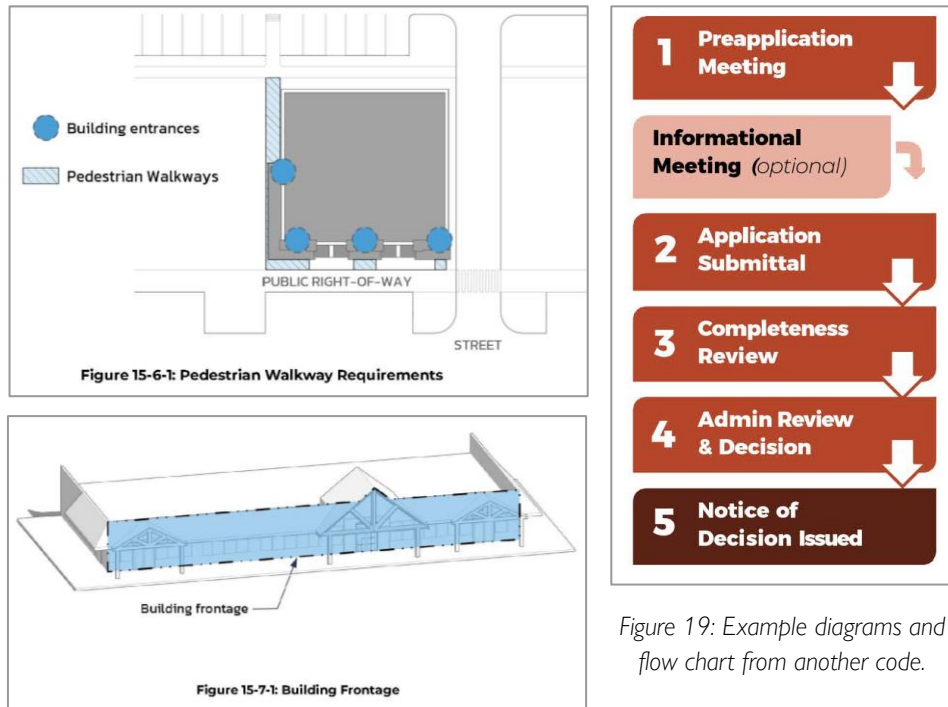


Figure 19: Example diagrams and flow chart from another code.

Definitions

In terms of user-friendliness, the use of clear and precise language is just as important as document organization and format. In the updated Development Code, all key terms (including all land use types) will be defined in a single location, and repetitive or inconsistent definitions will be reconciled in one consolidated set of definitions. As part of this process, any regulatory information found in the definitions will be relocated to the applicable chapter of the Development Code.

Beyond the definitions, all text in the Development Code will be reviewed and rewritten as necessary to provide greater clarity. Instances of “legalese” or “plannerese” will be removed, and jargon will be replaced with plain language. For example, removing terms such as “thereafter,” “therein,” and “notwithstanding,” and replacing the use of the phrase “harmonious development” with clear and straightforward standards related to the scale, design, and location of a development project to limit inconsistent interpretations and outcomes. These changes help create a Development Code that all users can understand, from the individual landowner looking to expand their house to the professional designer proposing a new development.

ANNOTATED OUTLINE

Overall Organization

Table 4 indicates how existing provisions from Chapter 10 will be incorporated into Hayden's updated Development Code. The listing of a current section in the "Current Code Section(s)" column does not mean the existing language will be carried forward without change – each section will be evaluated for needed revisions or deletions as part of the drafting process. A general description of the content of each chapter and section is provided following this table.

Table 4: Summary of Proposed Development Code Organization

Section Number	Section Title	Current Code Section(s) to be Incorporated
Chapter 10.01 General Provisions		
10.01.010	Title	10.04.010 Short Title
10.01.020	Authority	10.04.020 Authority
10.01.030	Purpose	10.04.030 Purposes
10.01.040	Applicability	10.04.060 Applicability 10.04.070 Applicability to Public Agencies 10.04.080 Exemption for Essential Services
10.01.050	Rules of Construction	10.04.040 Interpretation 10.04.050 Computation of Time
10.01.060	Relationship to other Plans and Conflicting Provisions	10.04.090 Relationship to Master Plan
10.01.070	Transitional Provisions	10.04.110 Application to Developments in Progress
10.01.080	Fees	10.04.100 Fees
10.01.090	Severability	10.04.130 Severability
10.01.100	Liability	10.04.140 Save Harmless Clause 10.04.150 Disclaimer of Liability
Chapter 10.02 Zone Districts		
10.02.010	Zone Districts Established	10.20.010 Purpose 10.20.020 Zone Districts Established
10.02.020	Official Zoning Map	10.20.030 Official Zoning Map
10.02.030	Interpretation of District Boundaries	
10.02.040	Residential Districts	10.20.060 RLD Residential Low Density District 10.20.070 RMD Residential Medium Density District 10.20.080 RHD Residential High Density District 10.20.090 MHR Mobile Home Residential District 10.28.100 Mobile Home Parks and Mobile Home Subdivisions Standards Table 10.24-1 Dimensional Standards
10.02.050	Mixed-Use and Nonresidential Districts	10.20.100 CBD Central Business District 10.20.110 C Commercial District 10.20.120 I-1 Light Industrial District 10.20.130 I-2 Industrial District

Table 4: Summary of Proposed Development Code Organization

Section Number	Section Title	Current Code Section(s) to be Incorporated
		Table 10.24-1 Dimensional Standards
10.02.060	Special Districts	10.20.050 O Open District
10.02.070	Overlay Districts	10.20.140 AO Airport Overlay District 10.28.040 AO Airport Overlay Zone District Standards 10.20.150 AGR Agri-Hood Residential Overlay District 10.20.160 RL Recreation Lodging Overlay District
Chapter 10.03 Uses and Use-Specific Standards		
10.03.010	Purpose	
10.03.020		10.20.040 Uses Permitted by Right, Minor, Administrative and Conditional Uses 10.28.010 Purpose
10.03.030	Use Table	10.20.170 Uses by Zone District Table
10.03.040	Use-Specific Standards	10.28.050 Bed and Breakfast Standards 10.28.060 Childcare Centers and Homes Standards 10.28.070 Churches (or Similar Uses) Land Use Standards 10.28.080 Farm Stand Standards 10.28.110 Oil, Gas, and Other Hydrocarbon Well Drilling and Production Standards 10.28.120 Outdoor Storage in Commercial (C) Zone District 10.28.130 Recreational Vehicle Parks 10.28.140 Routt County Fairgrounds Uses & Standards 10.28.150 Sand and Gravel Operations & Associated Equipment Standards 10.28.180 Wireless Telecommunications Standards
10.03.050	Accessory Uses and Structures	10.28.020 Accessory Dwelling Unit Standards 10.28.030 Agritourism Enterprise Standards 10.28.090 Home Occupation Standards 10.28.160 Short-Term Rental Standards
10.03.060	Temporary Uses and Structures	10.28.170 Temporary Use Standards
Chapter 10.04 Natural Areas and Resource Protection		
10.04.010	Purpose	
10.04.020	Applicability	
10.04.030	Floodplains	Chapter 10.32 Flood Regulations
10.04.040	Steep Slopes	
10.04.050	Wildfires	
10.04.060	Wildlife Conflicts	10.24.230 Environmental Considerations
Chapter 10.05 Site Planning and Development Standards		
10.05.010	Purpose	
10.05.020	Applicability	10.24.010 General Provisions

Table 4: Summary of Proposed Development Code Organization

Section Number	Section Title	Current Code Section(s) to be Incorporated
10.05.030	Access and Connectivity	10.24.080 Access Standards 10.24.110 Sidewalks/Multi-Use Pathways/Trails
10.05.040	Off-Street Parking and Loading	10.24.100 Parking
10.05.050	Landscaping, Buffering, and Screening	10.24.160 Landscape Design 10.24.170 Buffering and Screening Techniques 10.24.180 Fences and Walls
10.05.060	Site and Building Design	10.24.040 Design Elements 10.24.050 Compact Urban Growth 10.24.060 Neighborhood Design Principles 10.24.190 Residential Architecture (Single-Family and Multi-Family Dwelling) 10.24.200 Commercial and Industrial Architecture 10.24.240 Impacts or Nuisances
10.05.070	Outdoor Lighting	10.24.210 Lighting
10.05.080	Signs	10.24.220 Signs
10.05.090	Community Housing Standards	10.24.300 Community Housing Standards
Chapter 10.06 Subdivision Standards		
10.06.010	Purpose	
10.06.020	Applicability	
10.06.030	Subdivision Design	10.24.070 Lots and Blocks 10.24.090 Streets 10.24.110 Sidewalks/Multi-Use Pathways/Trails 10.24.120 Easement and Utility Standards
10.06.040	Required Improvements	10.24.250 Sanitary Sewer 10.24.260 Potable Water 10.24.270 Fire Hydrants 10.24.280 Public Improvements Agreements
10.06.050	Dedication of Land	10.24.130 Parks and Open Space 10.24.140 Contribution for Public School Site 10.24.150 Public Sites and Dedication Requirements
10.06.060	Conveyance of Water Rights	10.24.290 Conveyance of Water Rights as Part of Subdivision and/or Annexation
Chapter 10.07 Administration and Procedures		
10.07.010	Review and Decision-Making Bodies	Chapter 10.12 Development Application Review Authority
10.07.020	Summary Table of Review Procedures	Table 10.16-1 Review Process Chart
10.07.030	Common Review Procedures	10.06.020 General Procedures and Requirements
10.07.040	Specific Review Procedures	10.16.030 Master Plan Amendment

Table 4: Summary of Proposed Development Code Organization

Section Number	Section Title	Current Code Section(s) to be Incorporated
		10.16.040 Code Text Amendment 10.16.050 Zone Change 10.16.060 Conditional Use 10.16.070 Planned Unit Development 10.16.080 Subdivision 10.16.090 Historic Site Designation 10.16.100 Location, Character and Extent 10.16.110 Appeal and Variance 10.16.120 Appeals to Council 10.16.130 Alternative Design 10.16.140 Right-of-Way Vacation 10.16.150 Annexation 10.16.160 Vested Property Right 10.16.170 Site Plan 10.24.030 Application of Community Design Standards
10.07.050	Violations and Enforcement	10.04.160 Violations 10.04.170 Penalties 10.04.180 Costs and Attorneys' Fees 10.04.190 Enforcement Authority and Procedures 10.04.200 Enforcement Actions and Remedies
Chapter 10.08 Rules of Nonconformities		
10.08.010	General Provisions	10.04.120 Nonconforming Uses and Structures
10.08.020	Nonconforming Uses	10.04.120 Nonconforming Uses and Structures
10.08.030	Nonconforming Structures	10.04.120 Nonconforming Uses and Structures
10.08.040	Nonconforming Lots	
10.08.050	Nonconforming Site Features	
10.08.060	Nonconforming Signs	
Chapter 10.09 Rules of Measurement and Definitions		
10.09.010	Measurements	10.24.020 Dimensional and Setback Standards
10.09.020	Definitions	Chapter 10.08 Definitions

The following chapters provide a descriptive outline of the reorganized Hayden Development Code.

Chapter 10.01 General Provisions

Chapter 10.01 consolidates foundational material related to the Development Code as a whole, including authority, purpose, and applicability.

10.01.010 Title

This section establishes the official name by which the regulations may be cited (e.g., “the Town of Hayden Development Code”) as well as any acceptable shortened references (e.g., “Development Code,” “the Code”).

10.01.020 Authority

This section contains references to the Town’s authority to adopt the updated Development Code in accordance with state law. It also includes a provision which states that if the regulations cite a provision of state or federal law that is amended or superseded, the regulations will be deemed to refer to the amended section or the section that most nearly corresponds to the superseded section.

10.01.030 Purpose

This section generally describes why the Development Code is important to Hayden and how it regulates land development to protect the public health, safety, and welfare of the Town.

10.01.040 Applicability

This section describes the UDC’s applicability to development or redevelopment (unless otherwise exempted).

10.01.050 Rules of Construction

This section describes how specific terms are interpreted throughout the Development Code, including lists and examples, computation of time, mandatory versus discretionary terms, conjunctions, tenses and plurals, and conflicts between text and illustrations.

10.01.060 Relationship to Other Plans and Conflicting Provisions

This section establishes the relationship between the Development Code and the Master Plan, as well as to other adopted plans. It also describes how the Code applies to governmental agencies and how internal code conflicts are resolved.

10.01.070 Transitional Provisions

This section describes how prior building permits, violations, nonconformities, and development approvals will be processed under the new Development Code. It could also include an option for pending applications to be reviewed and decided under the current regulations or the new Code.

10.01.080 Fees

This section outlines the procedures for assessing and collecting fees associated with development application review. It includes provisions for fee payment deadlines, interest on delinquent fees, and the ability to place a lien on the property for unpaid amounts.

10.01.090 Severability

This section clarifies that any specific standard in the Development Code that is invalidated by a court shall not affect the application or validity of any other standard in the Code not included by that court's judgment.

10.01.100 Liability

This section carries forward the existing save harmless clause and disclaimer of liability statement from Section 10.04.140 and 10.04.150.

Chapter 10.02 Zone Districts

Chapter 10.02, Zone Districts, establishes and describes the zone districts which govern the types of development and uses allowed in different parts of the Town.

10.02.010 Zone Districts Established

This section summarizes the lineup of zone districts, according to earlier recommendations for consolidation, elimination, and creation of new districts. A table will be incorporated similar to the example provided earlier in this Assessment.

10.02.020 Official Zoning Map

This section outlines how the Official Zoning Map is adopted as part of the Development Code and clarifies that the map, along with all its references and data, is legally incorporated into the Code and that the Town is responsible for maintaining and updating it.

10.02.030 Interpretation of District Boundaries

This section establishes a clear method and criteria for determining zoning boundaries on the Zoning Map especially in situations where the map is unclear or where boundaries don't align precisely with visible or legal features on the ground.

10.02.040 Residential Districts

This section begins with a summary table of the dimensional requirements for all Residential districts in the Town. Each district will include the components discussed earlier in this document (purpose statement, dimensional requirements, graphics, and district-specific standards). Specific recommendations related to the dimensional standards, use allowances, and potential mapping considerations for each district are listed in the table below.

Table 5: Recommended Updates to Residential Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
RLD: Residential Low Density	RLD: Residential Low Density	<ul style="list-style-type: none"> Distinguish minimum lot area requirements by residential use type (e.g., single-unit detached vs. duplex) and public uses Decrease minimum setback requirements and consider allowing for setback averaging Clarify interior side setbacks do not apply to duplex dwellings where each unit is on its own lot 	<ul style="list-style-type: none"> Allow cluster and small lot single-unit detached dwellings (including manufactured homes and tiny homes on individual lots) Clarify prohibition on installation of new mobile homes (constructed prior to June 15, 1976, that does not meet the HUD requirements for 	<ul style="list-style-type: none"> No changes to currently mapped properties

Table 5: Recommended Updates to Residential Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
		<ul style="list-style-type: none"> Set a maximum residential density of 6 dwelling units per acre Clarify how Accessory Dwelling Units (ADUs) count toward maximum residential density (currently counted as 0.5 dwelling units) and consider revising this factor 	manufactured housing)	
RMD: Residential Medium Density	RMD: Residential Medium Density	<ul style="list-style-type: none"> Distinguish minimum lot area requirements by residential use type and public uses Decrease minimum setback requirements to allow for more efficient use of land and fit a wider range of housing types Clarify interior side setbacks do not apply to single-unit attached dwellings Set a minimum/maximum residential density of 7/10 dwelling unit per acre Rename and redefine outdoor living areas to minimum usable open space [1] – apply 30% requirement to all lots (rather than differentiate by residential use type) 	<ul style="list-style-type: none"> Allow cluster and small lot single-unit detached dwellings (including manufactured homes and tiny homes on individual lots) Allow courtyard development Allow multi-unit dwellings (size and number of units limited by maximum density) 	<ul style="list-style-type: none"> No changes to currently mapped properties
RHD: Residential	RHD: Residential	<ul style="list-style-type: none"> Distinguish minimum lot area requirements by residential use 	<ul style="list-style-type: none"> Consider requiring a Conditional Use Permit for future 	<ul style="list-style-type: none"> No changes to currently mapped properties

Table 5: Recommended Updates to Residential Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
High Density	High Density	types and public/nonresidential uses <ul style="list-style-type: none"> Decrease minimum setback requirements to allow for higher density development Clarify interior side setbacks do not apply to single-unit attached dwellings Set a minimum/maximum residential density of 12/18 Rename and redefine outdoor living areas to minimum usable open space [1] – apply 30% requirement to all lots (rather than differentiate by residential use type) 	single-unit detached dwellings <ul style="list-style-type: none"> Allow courtyard development Allow small-scale restaurants, retail establishments, personal and business service shops, and professional offices 	
MHR: Mobile Home Residential District	MHR-R: Mobile Home Residential-Retired	<ul style="list-style-type: none"> Carry forward with no changes 	<ul style="list-style-type: none"> Carry forward with no changes 	<ul style="list-style-type: none"> Retire district and do not allow future rezonings to MHR

Notes:

[1] Example definition of usable open space: An outdoor or unenclosed area on the ground or on a roof, balcony, deck, porch, or terrace, designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or corner side yard, and excluding any space with a dimension of less than six feet in any direction or an area of less than 36 square feet. User amenities, such as tables, benches, trees, planter boxes, or garden plots, may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed.

10.02.050 Mixed-Use and Nonresidential Districts

This section begins with a summary table of the dimensional requirements for all Mixed-Use and Nonresidential districts in the Town and contains the same district-level components as the Residential districts. Specific recommendations related to the dimensional standards, use allowances, and potential mapping considerations for each district are listed in the table below.

Table 6: Recommended Updates to Mixed-Use and Nonresidential Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
CBD: Central Business District	CBD: Central Business District	<ul style="list-style-type: none"> Require new development and redevelopment of buildings that abut Highway 40/Jefferson to maintain a principal nonresidential space on the ground floor (residential units may be located above or behind) Move away from the practice of determining lot and building standards at Site Plan Review and establish minimum lot frontage, minimum setbacks, and minimum usable open space requirements for residential development (including residential within a mixed-use development) 	<ul style="list-style-type: none"> Consider requiring a Conditional Use Permit for or prohibiting construction of new future single-unit detached dwellings 	<ul style="list-style-type: none"> No changes to currently mapped properties
C: Commercial District	MU-C: Mixed-Use Commercial	<ul style="list-style-type: none"> Require new development and redevelopment of buildings that abut Highway 40/Jefferson to maintain a principal nonresidential space on the ground floor (residential units may be located above or behind) 	<ul style="list-style-type: none"> Consider requiring a Conditional Use Permit for future single-unit detached dwellings 	<ul style="list-style-type: none"> Consider if any properties in the C districts between Pine Street and 2nd Avenue (particular those abutting Highway 40) should be rezoned to CBD
I-1: Light Industrial District	MU-I: Mixed-Use Industrial	<ul style="list-style-type: none"> Establish a minimum lot frontage requirement 	<ul style="list-style-type: none"> Adjust residential use allowances to only include work/live dwellings Remove uses that are better located within either the CBD or C district (e.g., convenience shopping) 	<ul style="list-style-type: none"> Rezone current I-1 properties containing fully residential buildings (not work/live or mixed-use) to MU-C

Table 6: Recommended Updates to Mixed-Use and Nonresidential Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
			center, grocery store, and medical clinics) to reserve space for industrial uses	
I-2: Industrial District	I: Industrial	<ul style="list-style-type: none"> Establish a minimum lot frontage requirement and consider decreasing minimum required setbacks (unless abutting a Residential district or existing residential use) 	<ul style="list-style-type: none"> Remove uses that would not be compatible with heavier industrial activities (e.g., convenience retail, grocery store, community facilities, and health and membership clubs) 	<ul style="list-style-type: none"> Rezone current I-1 properties that contain higher intensity industrial uses that are better suited for a district where residential uses are not allowed to I-2

10.02.060 Special Districts

This section begins with a summary table of the dimensional requirements for all Special districts in the Town and contain the same district-level components as all of the other districts. Specific recommendations related to the dimensional standards, use allowances, and potential mapping considerations for each district are listed in the table below.

Table 7: Recommended Updates to Special Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
O: Open	[Remove]			<ul style="list-style-type: none"> Identify current O properties that are better suited within a different zone district (e.g., OS, P, or RLD) and rezone accordingly
[New]	OS: Open Space	<ul style="list-style-type: none"> Do not require a minimum lot area or minimum lot frontage Establish larger setback requirements (e.g., between 20-30 feet) that help preserve a sense of openness and minimize visual impacts of structures Limit height to 2.5 stories or 25 feet 	<ul style="list-style-type: none"> Limit uses to parks, open spaces, environmentally sensitive areas, unique habitats and landscapes, and low intensity agricultural uses (e.g., crop cultivation, farmers' markets, and plant nurseries/greenhouses) 	<ul style="list-style-type: none"> Rezone all Town-owned parks, open space, and other known natural areas to be preserved

Table 7: Recommended Updates to Special Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
[New]	P: Public	<ul style="list-style-type: none"> Establish more compact setback requirement than the OS district (e.g., between 5-15 feet) that allow for more efficient site design and closer building placement appropriate for public uses Limit height to 25 feet or as approved by City Council (this allows for flexibility for uses such as utility operations, fire station, and other Town-owned or public service facilities to exceed the maximum height limitation) 	<ul style="list-style-type: none"> Limit uses to small-scale civic and community service uses including fairgrounds, recreational lodging areas, and other Town-owned facilities (e.g., water treatment plant) 	<ul style="list-style-type: none"> Rezone all Town-owned public facilities such as utility operations, fire and police stations, and schools

Notes:

[1] Example definition of usable open space: An outdoor or unenclosed area on the ground or on a roof, balcony, deck, porch, or terrace, designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or corner side yard, and excluding any space with a dimension of less than six feet in any direction or an area of less than 36 square feet. User amenities, such as tables, benches, trees, planter boxes, or garden plots may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed.

10.02.070 Overlay Districts

This section describes the purpose and applicability of overlay districts and summarize how they are administered. Specific recommendations related to the dimensional standards, use allowances, and potential mapping considerations for each overlay district are listed in the table below.

Table 8: Recommended Updates to Overlay Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
PUD: Planned Unit Development Overlay District	PUD: Planned Unit Development Overlay District	<ul style="list-style-type: none"> Clearly define the “public benefits” required in exchange for development flexibility (e.g., provision of additional 	<ul style="list-style-type: none"> Limit the ability to vary uses allowed in the reference base zone districts to those that support the Agri-hood 	<ul style="list-style-type: none"> No changes to currently mapped properties

Table 8: Recommended Updates to Overlay Districts

Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
		affordable housing, sustainable or resilient design features, or additional open space) <ul style="list-style-type: none"> Clarify that maximum residential density cannot be exceeded through use of a PUD 	Residential future land use designation	
AO: Airport Overlay District	AO: Airport Overlay District	<ul style="list-style-type: none"> Carry forward with no significant changes (unless otherwise indicated by the Yampa Valley Airport Commission) 	<ul style="list-style-type: none"> Carry forward with no significant changes (unless otherwise indicated by the Yampa Valley Airport Commission) 	<ul style="list-style-type: none"> Work with Routt County to apply required FAA boundaries to map
AGR: Agri-Hood Residential Overlay District	[Remove]	<ul style="list-style-type: none"> Incorporate standards in the Planned Unit Development Overlay that allow for clustered development within preserved agricultural areas 	<ul style="list-style-type: none"> Incorporate standards in the Planned Unit Development Overlay that allow for uses such as agritourism, food-production space, event space, trails, and restaurants. 	<ul style="list-style-type: none"> Do not map
RL: Recreation Lodging Overlay District	[Remove]	<ul style="list-style-type: none"> Remove 	<ul style="list-style-type: none"> Allow campgrounds, recreational vehicle parks, and other recreational amenities in other base zone districts such as 	<ul style="list-style-type: none"> Do not map

Table 8: Recommended Updates to Overlay Districts				
Current District	Proposed District	Recommendations		
		Dimensional Standards	Use Allowances	Mapping
			the proposed new Public district	

10.02.080 Dimensional Standards Applicable to All Districts

This section establishes dimensional standards that apply to all zone districts such as sight distance triangles, permitted encroachments into required setbacks (e.g. bay windows, porches, and fences), and exceptions to maximum height limits for specific building elements (e.g., chimneys, mechanical equipment, and architectural features).

Chapter 10.03 Uses and Use-Specific Standards

Chapter 10.03 consolidates all use regulations, including principal uses, accessory uses and structures, temporary uses and structures, and use-specific standards.

10.03.010 General Provisions

This section establishes the purpose of the Table of Allowed Uses and explains how it is organized.

10.03.020 Table of Allowed Uses

This section contains the Table of Allowed Uses, which indicates the level of approval required for each land use. This table will be an updated version of Hayden's existing Uses by Zone District Table, with modifications to use permissions (uses permitted by-right, Administrative Uses, and Conditional Uses) and use types, as described in the Use Regulations section above.

The existing Uses by Zone District Table relies on italicized font to indicate when a use has associated use-specific standards. As part of the Development Code update, hyperlinked cross-references to use-specific standards will be added to the Table of Allowed Uses for easier navigation to and review of applicable information.

10.03.030 Use-Specific Standards

This section establishes use-specific standards, or regulations associated with particular land uses. The existing use-specific standards in Chapter 10.28 will be relocated to this section. In some instances, new use-specific standards, or modifications to existing use-specific standards, will be added to address unique impacts associated with particular land uses. Below is a list of land uses that may benefit from the addition of use-specific standards, as well as existing use-specific standards that may be updated as part of the Development Code update:

a. Residential Uses

1. Cluster development – add new standards for developments in the RLD and RMD districts.
2. Courtyard dwelling – add new standards.
3. Work/live dwelling – add new standards to emphasize and mitigate the “work” portion of the use.
4. Manufactured home parks – review and update existing standards to align with state statutes.

b. Public Uses

1. Place of worship or assembly – relocate and revise standards.
2. Telecommunication facilities – update standards to align with state and federal requirements.

c. Commercial Uses

1. Animal boarding – add new standards.
2. Camping – explicitly state that camping is not permitted in the public right-of-way.
3. Recreation vehicle parks – explicitly state that camping in an RV is not permitted in the public right-of-way.

d. Industrial Uses

1. Solar farm – add new standards.
2. Battery energy storage – add new standards.

10.03.040 Accessory Uses and Structures

This section describes the standards for accessory uses and accessory structures, such as accessory dwelling units and garages. Accessory uses will be shown in the Table of Allowed Uses, likely marked with an “A,” or at the end of the table in its own category of uses. As with principal uses, use-specific standards will be included for specific accessory uses as needed. Accessory uses that may benefit from new or updates to existing use-specific standards include, but are not limited to:

1. Accessory dwelling units – remove density requirement.
2. Outdoor storage – clarify outdoor storage requirements on nonresidential properties.

10.03.050 Temporary Uses and Structures

This section describes the standards for temporary uses and temporary structures, such as seasonal sales stands and outdoor display areas. Temporary uses will be shown in the Table of Allowed Uses, likely marked with a “T” or at the end of the table in its own use category. As with principal uses, use-specific standards will apply to specific temporary uses where necessary, such as for mobile food vendors (food trucks). As part of this update, the list of permitted temporary uses will be updated, and new requirements may be incorporated to differentiate between temporary uses and special events.

Chapter 10.04 Natural Areas and Resource Protection

Chapter 10.04 includes standards to ensure that development proposals are reviewed with potential conditions and safeguards to help protect life, health, and property. This chapter will combine and build on existing standards from Chapter 10.32 and Section 10.24.230. Input and recommendations that arise from the Environmental Resiliency Review element of the Resiliency Project will likely be reflected in this chapter, as appropriate.

10.04.010 Purpose

This section establishes the intent of the chapter and why the regulations are important to protecting Hayden's natural areas from encroaching development as well as protecting new development from the impacts of natural disasters.

10.04.020 Applicability

This section clarifies when the following provisions apply to different development proposals.

10.04.030 Floodplains

This section carries forward the flood regulations of Chapter 10.32 with modifications for consistency with other sections of the Code.

10.04.040 Steep Slopes

This section provides new standards for development on steep slopes (potentially those greater than 25 percent) such as cut and fill standards, vegetation removal standards, and over-steeping standards to address the impacts of new development in areas with significant topographical changes.

10.04.050 Wildfires

This section provides new standards to address development in areas that are susceptible to wildfire damage. The [Draft 2025 Colorado Wildfire Resiliency Code Map](#) shows that much of Hayden falls within the moderate fire intensity classification.

10.04.060 Wildlife Conflict Areas

This section builds on the wildlife conflict area standards of Section 10.24.230, Environmental Considerations, to ensure that new development minimizes or mitigates its impact on wildlife and wildlife habitat.

Chapter 10.05 Site Planning and Development Standards

Chapter 10.05 includes standards related to site layout, building design, and operational standards. While the districts and uses chapters focus on what a property owner can do with their property and where they can do it, the site planning and development standards regulate the quality of development.

10.05.010 Purpose

This section establishes the intent of the chapter to regulate the physical layout and design of development within the Town to protect community health, safety, and quality of life.

10.05.020 Applicability

This section clarifies when different site planning and development standards apply and how they can be adjusted to apply to site-specific development (i.e., new development versus redevelopment). This section will be linked to the sliding-scale applicability determination process.

10.05.030 Access and Connectivity

This is a new section that sets forth the baseline requirements for connectivity between lots and streets, streets and streets, the provision of sidewalks, and multi-modal circulation internal to and between development sites, all of which will be designed to work with the engineering standards and specifications in the Town's Municipal Code. Potential updates within this section include:

- Exploring the revisions discussed in Access and Mobility in the Key Areas of Improvement portion of this Assessment;
- Requiring pedestrian access through parking areas and between buildings in developments designed with multiple buildings;
- Replacing current specific driveway access intersection distance requirements with “as evaluated by the Public Works Director” due to challenges administering those requirements; and
- Requiring circulation plans that address street, vehicle, pedestrian, and bicycle connectivity for all new development and redevelopment excluding residential development with fewer than five dwellings.

10.05.040 Off-Street Parking and Loading

This section includes the off-street parking and loading requirements. The current standards will be evaluated for the following potential revisions:

- Remove minimum off-street parking requirements for all development, remove minimum off-street parking requirements in the CBD district, or significantly reduce the minimum number of spaces required – particularly for nonresidential uses (e.g., restaurants and retail).
- If minimum off-street parking requirements are maintained, introduce additional methods for applicants to request parking reductions (e.g., expanding shared and on-street parking allowances into more districts than the CBD).
- Tailor minimum bicycle parking requirements by use type or category rather than relating it to how many vehicle parking spaces are required on the site.

- Add basic loading area requirements for larger nonresidential uses (i.e., more than 10,000 square feet gross floor area) including minimum number of loading spaces, location of loading areas, size of loading berths, and access and screening considerations.
- Add basic drive-through facility and vehicle staking requirements to ensure that drive-through businesses are designed to safely accommodate vehicle queuing without creating traffic hazards.
- Add objective standards related to “integrate parking lots with surrounding” and change the “whenever possible language” to specific locations

10.05.050 Landscaping, Buffering, and Screening

This section includes the standards for landscaping required on a development site and requirements related to screening devices such as fences and walls. The current standards will be evaluated for the following potential revisions:

- Emphasize and require water-wise landscaping techniques, drought-resistant plants, and the State-required prohibition on nonfunctional turf grass in commercial, institutional, or industrial development.
- Remove misleading and vague “tree-lined streets” language from purpose statement and general provisions.
- Tailor minimum landscaped area requirements by zone district.
- Adjust parking lot landscaping requirements to better balance the desire for tree canopy and environmental constraints. This includes reducing the number of trees required per parking space (e.g., revising one tree per five parking spaces to one tree per 10 parking spaces).
- Clarify what types of proposed and abutting development (e.g., commercial use next to residential use) or site features (e.g., parking areas) require landscaped buffers and more clearly establish required widths and landscaping/screening techniques.
- Remove landscape plans submittal requirements and maintain them outside of the Code with the application checklist.

10.05.060 Site and Building Design

This section includes any standards addressing residential and nonresidential site and building design, including requirements for varied building forms, facade articulation, roof and color treatments, and site layout to ensure visual interest and compatibility with surroundings. The current standards will be evaluated for the following potential revisions:

- Remove compact urban growth, neighborhood design principles, and design elements. Generally limit the use of “character” as a design review criteria and rely on more objective standards like form, size, bulk and mass, orientation, and layout.
- Establish multi-unit dwelling residential, mixed-use, commercial, and industrial design standards (based on current architectural design requirements) as discussed in Community Design and Architectural Standards in the Key Areas of Improvement portion of this Assessment.

- Establish residential compatibility standards that require “transitions” between either higher density residential development or nonresidential development and low density residential areas. Standards include additional building setbacks along shared property lines, or setbacks where higher floors of taller buildings are pulled back from the building.

10.05.070 Outdoor Lighting

This section addresses the standards for exterior lighting including the types of lighting allowed, the appropriate lighting levels, and lighting design requirements. The current standards will be evaluated for the following potential revisions:

- Incorporate dark-sky friendly standards that protect the night sky and reduce glare including, but not limited to, minimum energy efficiency standards, color temperature standards, and enhanced light trespass requirements with measurable maximum footcandle limits to replace discretionary language such as “excessive illumination.”
- Eliminate the requirement for lighting fixtures to be “consistent with architecture.”
- Add graphics to illustrate standards such as fully shielded devices, light trespass, and canopy lighting.

10.05.080 Signs

This section establishes the regulations for signage within the town including when a sign permit is required, prohibited sign types, and standards limiting the number, size, height, and location of various unique sign types (e.g., awning, wall, and freestanding). The current standards will be evaluated for the following potential revisions:

- Remove content-based regulations.
- Relocate sign permit review criteria into the Sign Permit procedure in Chapter 10.07, Administration and Procedures, and sign definitions into Chapter 10.09, Rules of Measurement and Definition.
- Add graphics and photos to illustrate standards such as sign types, sign area calculation, and sign height measurement.
- Add basic temporary sign standards.

10.05.080 Community Housing Standards

This section includes the Town’s inclusionary zoning policy that requires new residential development to set aside a percentage of deed-restricted affordable units (community housing) or through alternatives including fee-in-lieu, land dedication, or by proposing an alternative significant community benefit. The regulations also include incentives for the construction of community housing such as flexibility in dimensional standards, fee waivers or reductions, and infrastructure support in special circumstances. As part of the Development Code update, these standards will be evaluated for potential revisions to the:

- Percentage of total units to be set aside as affordable housing in new development;
- Overall sequencing approach;
- Area Median Income (AMI) limits for community housing units;
- Significant community benefit alternative procedures; and

- Available development incentives and process by which the incentives are approved (i.e., offer a set list of incentives to all community housing projects without special approval).

As part of this evaluation, certain details such as the applicable AMI levels and required percentages of affordable units may be relocated to and referenced in external documents to allow for future updates to the Development Code without requiring formal amendments.

Chapter 10.06 Subdivision Standards

Chapter 10.06 contains the Town's regulations for how subdivisions are designed along with the infrastructure and public utilities that must be provided to serve proposed development or redevelopment. This chapter consolidates and builds on the subdivision standards throughout existing Chapter 10.24. Input and recommendations that arise from the Public Works Studies, Water, and Wastewater Rate Model Update & Infrastructure Growth Modeling element of the Resiliency Project will be reflected in this chapter, as appropriate.

10.06.010 Purpose

This section states how the subdivision standards are intended to shape the design and layout of the Town.

10.06.020 Applicability

This section establishes when the following provisions apply to different development proposals.

10.06.030 Subdivision Design

This section includes standards related to the look and layout of new subdivisions, including lot and block layout, street design, and sidewalk/multi-use path standards.

10.06.040 Required Improvements

This section identifies the types of public improvements that may be required as part of new subdivisions, including water and sanitary sewer, hydrants, and underground utilities. As part of the Development Code update, this section will be expanded to specify which improvements are required for each type of subdivision and when a formal subdivision improvement agreement is needed. This section will include the considerations discussed in Subdivision-Related Standards in the Key Areas of Improvement portion of this Assessment.

10.06.050 Dedication of Land

This section establishes when, and how much, land may be required to be dedicated to the Town to develop parks, schools, and other public sites. The calculation used to support these requirements, as well as the allowable alternatives (such as in-lieu fees) will be evaluated and updated as part of this project. This section will include the considerations discussed in Subdivision-Related Standards in the Key Areas of Improvement portion of this Assessment.

10.06.060 Impact Fees

This section establishes the requirement for certain development to pay an impact fee to pay for its fair share of the impacts it generates upon the Town's capital facilities. This section will serve as a placeholder until the Town completes a nexus study early next year that will focus on impacts to the water and wastewater treatment plants and related infrastructure and off-site road impacts.

10.06.070 Conveyance of Water Rights

This section establishes when dedication and transfer of direct flow and/or water rights to the Town shall be required in order to ensure adequate provision of water as the Town grows. This section will be updated to simplify complex calculations and align with best practices from other Colorado communities, as appropriate.

Chapter 10.07 Administration and Procedures

Chapter 10.07 establishes the roles and authorities of reviewing and decision-making bodies involved in the Town's development procedures.

10.07.010 Review and Decision-Making Bodies

This section specifies the role of each elected, appointed, and administrative body or individual in the administration of the Development Code, including the Town Council, Planning Commission, and Town Manager.

10.07.020 Summary Table of Review Procedures

This section includes a table (similar to Table 10.16-1: Review Process Chart) summarizing the basic requirements for review and approval of any development application in the Code. The table is organized by type of application and includes information about review and decision-making authorities as well as which types of approvals require a public meeting or hearing. Unless otherwise noted, the table below reflects current requirements, which may be updated based on the considerations discussed in the Clarify Development Review Procedures portion of this Assessment.

Table 9: Summary Table of Review Procedures					
R = Review/recommend D = Decide A = Appeal PM = Public Meeting PH = Pubic Hearing TM = Town Manager PC = Planning Commission TC = Town Council Notice requirements can be found in § <> ¹					
Request	Sec. Ref. ²	Review and Decision-Making Bodies			Required Public Meeting or Hearing
		TM	PC	TC	
Site Development Procedures ³					
Administrative Permit		D		A	
Building Permit		D		A	
Conditional Use Permit		R	R	D	PC – PH TC – PH
Flood Hazard Area Permit		D		A	
Location, Character, and Extent Review		R	D	A	PC – PH
Minor Site Plan		D		A	
Major Site Plan		R	D	A	PC – PH
Temporary Use Permit ⁴		D		A	
Subdivision Procedures					
Administrative Subdivision		D		A	

¹ In the updated Development Code, a cross-reference will be provided to link the notice requirements to the Summary Table of Review Procedures.

² Clickable cross-references will be included in the final table that allow code users to jump to the section that explains the steps to complete each specific procedure.

³ The Historic Site Designation process will not be carried forward as part of the Development Code update. Future historic preservation efforts will follow the County's process.

⁴ New.

Table 9: Summary Table of Review Procedures

R = Review/recommend D = Decide A = Appeal PM = Public Meeting PH = Pubic Hearing
TM = Town Manager PC = Planning Commission TC = Town Council Notice requirements can be found in § <>¹

Request	Sec. Ref. ²	Review and Decision-Making Bodies			Required Public Meeting or Hearing
		TM	PC	TC	
Minor Subdivision		R		D	TC – PH
Major Subdivision – Sketch Plan		R	D	A	PC – PH
Major Subdivision – Preliminary Plan		R	R	D	PC – PH TC – PH
Major Subdivision – Final Plat		R		D	TC – PH
Vacation – ROW or Easement		R		D	TC – PM & 1 st reading of Ordinance TC – PH & 2 nd reading of Ordinance
Amendment Procedures					
Annexation		R	R	D	PC – PM TC – PH
Code Text Amendment		R	R	D	PC – PH TC – PM & 1 st reading of Ordinance TC – PH & 2 nd reading of Ordinance
Zoning Change		R	R	D	PC – PH TC – PM & 1 st reading of Ordinance TC – PH & 2 nd reading of Ordinance
Preliminary PUD		R	R	D	PC – PH TC – PH
Final PUD		R	R	D	PC – PH TC – PH [1]
Administrative PUD Amendment		D		A	
Minor PUD Amendment		R	R	D	PC – PH TC – PH
Major PUD Amendment		Follow process for preliminary and final PUD			
Master Plan Amendment		R	R	D	PC – PH TC – PH
Flexibility and Relief Procedures					
Adjustment ⁵		D		A	

⁵ New.

Table 9: Summary Table of Review Procedures

R = Review/recommend D = Decide A = Appeal PM = Public Meeting PH = Public Hearing
TM = Town Manager PC = Planning Commission TC = Town Council Notice requirements can be found in § <>¹

Request	Sec. Ref. ²	Review and Decision-Making Bodies			Required Public Meeting or Hearing
		TM	PC	TC	
Appeal		R	D		PC – PH
Variance		R	D		PC – PH

Notes:

[1] At the request of the applicant, no public hearings may be required for Final PUDs that include only minor changes as may be approved by the Town Manager.

10.07.030 Common Review Procedures

This section identifies and describes the general procedures that apply to most development applications. Common review procedures are currently described in Section 10.16.020. Cross-references to common review procedures will be provided, as necessary, within each specific review procedure described in the following sections. Common review procedures include:

- a. Pre-Application Conference
- b. Community Meeting
- c. Application Submittal
- d. Application Processing
- e. Public Notice
- f. Hearing, Review, and Decision
- g. Post-Decision Actions and Limitations

10.07.040 Site Development Procedures

This section describes the types of applications that may be required for site-specific development. Where necessary, the procedures listed below will include cross-references to applicable steps outlined in the Section 10.07.030 Common Review Procedures, and outline any modifications or additions to those procedures. As part of the process for verifying that application reviews are occurring at the appropriate level, additional conversations will be needed to determine if there are more types of development requests that may qualify for Minor Site Plan review (as opposed to Major Site Plan review). A list of site development permits and entitlements is provided below.

- a. Administrative Use Permit
- b. Building Permit
- c. Conditional Use Permit
- d. Flood Hazard Area Permit
- e. Location, Character, and Extent Review
- f. Minor Site Plan
- g. Major Site Plan
- h. Temporary Use Permit

10.07.050 Subdivision Procedures

This section describes the types of approvals that may be required to subdivide land. Where necessary, the procedures listed below will include cross-references to applicable steps outlined in the Section 10.07.030 Common Review Procedures, and outline any modifications or additions to those procedures. A list of subdivision procedures is provided below.

- a. Administrative Subdivision
- b. Minor Subdivision
- c. Major Subdivision – Sketch Plan
- d. Major Subdivision – Preliminary Plan
- e. Major Subdivision – Final Plat
- f. Vacation – ROW or Easement

10.07.060 Amendment Procedures

This section describes the types of requests available for modifying the Development Code, the Zoning Map, and the Master Plan. Where necessary, the procedures listed below will include cross-references to applicable steps outlined in the Section 10.07.030 Common Review Procedures, and outline any modifications or additions to those procedures. Modifications to the amendment procedures will likely include a review and adjustment of minor change thresholds for Final PUD Master Plan review. A list of amendment procedures is provided below.

- a. Annexation
- b. Code Text Amendment
- c. Zoning Change
- d. Preliminary PUD
- e. Final PUD
- f. Administrative PUD Amendment
- g. Minor PUD Amendment
- h. Major PUD Amendment
- i. Master Plan Amendment

10.07.070 Flexibility and Relief Procedures

This section describes the types of applications available for requesting relief from a strict application of the requirements of the Development Code. Where necessary, the procedures listed below will include cross-references to applicable steps outlined in the Section 10.07.030 Common Review Procedures, and outline any modifications or additions to those procedures. Notable changes anticipated for these procedures include the separation of Appeal procedures from major and minor Variance procedures and the establishment of an Adjustment process to allow approval of minor deviations from measurable Code standards based on objective criteria. A list of flexibility and relief procedures is provided below.

- a. Adjustment
- b. Appeal
- c. Variance

10.07.080 Violations and Enforcement

This section describes how Hayden enforces the Development Code, including standards for violations, penalties and remedies, and authorized enforcement officers. As with many other sections of the Code, we recommend relocating specific information that may change frequently to an administrative manual or designated location on the Town's website, such as dollar amounts for fees and penalties.

Chapter 10.08 Nonconformities

Chapter 10.08 describes how legal nonconformities are administered and enforced. This section will also include standards for nonconforming uses, structures, lots, site features, and signs.

10.08.010 General Provisions

This section includes provisions that apply to all nonconformities including continued use, evidence of nonconforming status, ordinary repair and maintenance, abandonment, and destruction.

10.08.020 Nonconforming Uses

This section establishes rules governing nonconforming uses including the prohibition of enlargement and limitation on alterations and the circumstances in which a nonconforming use can be replaced or changed.

10.08.030 Nonconforming Structures

This section establishes rules governing nonconforming structures including the prohibition of enlargement or expansion in a way that increases the nonconformity and limited ability to alter the structure to accommodate new technology (e.g., solar panels) or comply with federal law (e.g., ADA).

10.08.040 Nonconforming Lots

This section establishes rules governing nonconforming lots including the ability to change the use of the lot, develop a new structure on the lot, or expand/alter an existing structure on the lot.

10.08.050 Nonconforming Site Features

This section establishes rules governing nonconforming site features (e.g., parking or landscaping), allowing the continued use of the property but requiring compliance with the applicable site planning and development standards when new development or redevelopment is proposed.

10.08.060 Nonconforming Signs

This section establishes rules governing nonconforming signs, including the extent to which a nonconforming sign can be altered, relocated, or replaced, when a nonconforming sign is considered abandoned, and when nonconforming status is terminated due to destruction, damage, obsolescence, or failure to maintain.

Chapter 10.09 Rules of Measurement and Definitions

Chapter 10.09 builds on the current rules of measurement and definitions in Title 10 by consolidating all measurement instructions into one section, clarifying existing and providing new definitions as needed, and removing and relocating any standards from the definitions section to the appropriate section of the Code.

10.09.010 Measurements

This section consolidates and establishes the rules for all types of measurement used in the Development Code, such as how to measure bulk and dimensional requirements like height, width, setbacks, lot area, how encroachments into required yards will be determined and regulated, and the other measurements that are required to interpret standards. This section provides a central location where the user can go if there is a need to apply a rule of measurement. Graphics will be used in this section to assist in the explanation of the different rules of measurement, with the proviso that in cases of conflict between a graphic and the text of the Code, the text controls.

10.09.020 Definitions

This section includes definitions for all key terms in the Development Code, including definitions for use categories and specific uses, acronyms, Town officials, terms of measurement, procedural terms, and design terms. As part of the update, all regulatory requirements will be removed from definitions and relocated to the applicable development standards section. The list of definitions will also be cleaned to remove any terms that are no longer used in the Development Code.