



**Planning and Zoning Commission
October 4, 2023 - Regular Meeting**

To: Dillon Planning & Zoning Commission
From: Ned West, AICP, Sr. Town Planner
Subject: Marina Overlay District
Agenda Item: 7

DISCUSSION ITEM:

Creating a Marina Overlay District

TIME FRAME:

- October 4, 2023: Initial Discussion Planning and Zoning Commission

SUMMARY:

The Dillon Marina is currently located in two (2) zone districts: Parks & Open Space (POS) and Urban Reserve (UR). Only in the POS zone district is a marina use identified as a permitted use. By its name, the UR district consists of undefined, “reserve” areas of the Town. The UR zone district was originally intended to provide a zoning district for properties annexed by the Town that would not be developed for some time, and it was presumed properties within the UR district would be rezoned prior to their development. Thus, no permitted uses are identified in the UR zone district, and conditional uses are limited to existing uses and their potential expansion in accordance with conditional use criteria. In fact, all UR zoned areas are owned by Denver Water, who currently has no interest in any sort of development. They also are not presently interested in seeking a rezoning of their properties.

Due to the complexities arising from its inclusion in two (2) zoning districts, and the fact that a portion of the Marina is located on property leased from Denver Water, Town staff has determined the most appropriate course of action is to better define the activities associated with the Marina by the creation of an overlay district. The “Marina

Overlay District” would function similarly to a Planned Unit Development (PUD) overlay district,¹ but with defined permitted uses.²

Suggested Permitted Uses are:

Marina
Yacht Clubs
Restaurants, Snack Bars, Food Vendors, and Bars
Convention Center
Parking and Parking Structures
Maintenance Facilities
Rental and Retail Facilities
Concessions and Concessionaires
Events, Entertainment, and Recreational Uses
Accessory uses and structures to include but not to be limited to schools and activities associated with watercraft, knots, weather, nature, wildlife, ice or snow sports, wind sports, kite sports, or other similarly associated activities; storage; boat washing and Aquatic Nuisance Species (ANS) treatment services; trash and recycling enclosures; waste and recycling sorting and storage facilities; docks; lifts and cranes; launch ramps; racks; mast steps; and outdoor recreation.

BUDGET IMPACT:

Currently unknown.

DEPARTMENT HEAD RESPONSIBLE:

Ned West, AICP, Sr. Town Planner

¹ All provisions of the underlying zoning district over which a PUD is located continue to apply unless varied or waived by the Town Council as part of an approved PUD development plan. Approval of a PUD results in the creation of an “overlay” to the base zoning district, with specific requirements and standards that are unique to the planned development.

² In contrast, the PUD overlay provisions of the Code do not authorize *specific* (permitted/conditional) uses. Instead, the PUD overlay provisions authorize, *generally*, “[uses] permitted in the underlying zone by right or as a conditional use *and other uses as determined upon submission and approval of the PUD development plan.*” The PUD overlay is thus more discretionary than what is being proposed for the “Marina Overlay District.”