

La Plata County New Land Use Code

Topic Focused Workshop #2

Development Standards

June 5, 2020



Agenda overview

- Desired Outcomes/Goals for the Day
 - Provide education to the community about the land use code
 - Understand how the new code is expected to impact the community
 - Gain insights from the community about how they perceive the new code
 - Gain insights from the community to guide changes to the new code
- Agenda
 - 10 min – Introductions & Welcome
 - 20 min – Generally Applicable Standards– Presentation and Discussion
 - 20 min – Standards for Specific Uses - Presentation and Discussion
 - 20 min – Standards for Compatibility– Presentation and Discussion
 - 30 min – New Tools for Development
 - 15 min – Wrap-Up Discussion
 - 5 min –Evaluation and Next Steps

Meeting Overview

Zoom Protocols	Meeting Agreements
<p>Webinar format</p> <ul style="list-style-type: none">• Muted device• Recording the presentation• Polling <p>Feedback Cue</p> <ul style="list-style-type: none">• Use the raise hand icon or *9• Use the chat icon• Use the Q&A icon• State your name and then speak• Comments will be timed to 2 minutes, you can get back in the cue	<ul style="list-style-type: none">• Equalize participation• Respect – in words and meeting conduct• Listen to understand• Focus on our goals for the day, the content at hand• Step-Up/Step-Back – be concise and to the point

Panelist Introductions

- Consultants
 - Gabe Preston, RPI
 - Stacy Beough, Strategic By Nature
- Planning Commission
 - Geri Malandra, Chair (Florida Road District Area)
 - Chris Scott, Vice Chair (Florida Mesa District)
- County Staff
 - Megan Graham, Public Affairs Officer
 - Neal Starkebaum, Community Development Director
 - Robert Bowie, Senior Planner
 - Daniel Murray, Principal Planner
 - Dan Murphy, Senior Planner



Planning Commissioner Welcome

- Goals for the Day
- Board of County Commissioner Goals for New Code
 - Reconcile and clarify the land use code
 - Provide for predictability and improved certainty of the process and outcomes
 - Facilitate and direct growth to appropriate areas
 - Improve the review process
 - Articulate clear development standards
 - Streamline the development process
 - Protect and respect the county's most valued assets
 - Minimize sprawl
- Highlights from the New Code
- Community Role



New Code Timeline 2020



Topic-Focused Workshop 1:	<p>Development Review Process (Ch. 63, 66)</p> <ul style="list-style-type: none"> • Improvements and changes to the review process <ul style="list-style-type: none"> ○ Increased administrative review ○ Reduced public hearings ○ Sketch plan and compatibility review ○ Roles and procedures of decision-making bodies • Transitioning from old to new code 	Fri, May 29: 2-4 pm
Topic-Focused Workshop 2:	<p>Development Standards (Ch. 65, 66, 67, 68, 70, 72, 73)</p> <ul style="list-style-type: none"> • Development standards <ul style="list-style-type: none"> ○ Effect of improved/clarified standards on process ○ Compatibility and mitigation standards ○ Tiny homes and manufactured homes standards ○ Wildfire and other natural hazards • New tools for development <ul style="list-style-type: none"> ○ Economic development areas ○ Planned unit development ○ Clustered rural development 	Fri, June 5: 2-4 pm
Topic-Focused Workshop 3:	<p>Road Level of Service Standards, Road Construction Standards and Drainage & Erosion Control Standards (Ch. 70, 74)</p> <ul style="list-style-type: none"> • Road Level of Service Standards <ul style="list-style-type: none"> ○ Background ○ Level of service metrics and studies • Road Construction Standards <ul style="list-style-type: none"> ○ Standards for non-county roads ○ Roads in 35-acre subdivisions • Drainage and erosion standards <ul style="list-style-type: none"> ○ Revised drainage and detention standards ○ Water quality requirement for detention ponds 	Fri, June 12: 2-4 pm
Topic-Focused Workshop 4:	Topics Requested by Participants and Overflow	Fri, June 19: 2-4 pm

Generally applicable standards

Chapter 70



Property Line and Road Setbacks (70-6)

	Agricultural Residential > 10 ksf	Residential Lots < 10 ksf	Commercial/ Industrial/ Mixed Use	All public roads or streets
Front	20ft.	20ft.	50ft.	20ft.
Side	10ft.	5ft.	10ft.	20ft.
Rear	10ft.	5ft.	10ft.	20ft.

Changes in New Code Compared to Current Code

- Clarified applicability: all development requiring a building permit
- Setbacks for commercial, industrial, mixed use
- Setbacks from public roads/streets

Outdoor Lighting Regulations (70-7)

Changes in New Code Compared to Current Code

- Clarified applicability: all development requiring a building permit
- Five clear standards
- Lighting plan contents listed
- Clear exceptions/exemptions: agricultural facility/structure, seasonal/holiday, temporary, American Flag lighting

Avoidance of Natural Hazards and Protection of Sensitive Lands 70-8

- Clear applicability: applies to all development except agriculture and oil/gas development
- Prior land use permits specifying building location or hazards mitigation would apply.
- Requires a map of geologic, steep slopes, wildfire, hazard areas and wetlands
- Mitigation plan required – avoid hazard if possible or mitigate impacts
- Specific mitigation standards for developing each type of geologic natural hazard:
 - rockfall,
 - landslide,
 - alluvial fan,
 - snow avalanche,
 - steep/potentially unstable slopes
 - debris flow
 - corrosive/expansive soils
- Wildfire mitigation is required “to the maximum extent feasible” for new subdivisions, PUDs in high burn probability areas



Landscaping and buffering (70-17)

- Clarified applicability:
 - minor, major development permits
 - parking lots along a public road
 - mitigation measure
- Standards for:
 - materials and specifications for installation
 - maintenance and guarantees

Signs (70-20)

- Clarified applicability
 - More exemptions: 6 sf or less, govt. traffic/directional signs, temporary signs, etc.
- Standards:
 - Prohibited signs (mostly health/safety issues)
 - Number of signs allowed
 - Size (sq. ft.)
 - Setback
 - Clearance and height
 - Lighting of sign
 - Structural

Standards for specific uses

Chapter 73



Thresholds for level of review: additional dwelling units Ch. 66

- No land use permit required for one additional dwelling on 70 ac. or two on 105 ac.
- Director determination
 - one additional dwelling (2,000 sf or less) if sewer, water, utilities are shared with the primary dwelling
 - one additional dwelling on 30 ac. or two on 45 ac. ag land
- Administrative land use permit required for one additional unit on 6 ac. (not ag)

Thresholds for level of review: accessory uses (home businesses) Ch. 66

No Land Use Permit	Administrative Land Use Permit	Minor Land Use Permit
<ul style="list-style-type: none">• Up to 400 square feet• In the dwelling unit or attached garage• No outside storage• No employees• No onsite sales or customer service• No signage• 4 or less average daily trips	<ul style="list-style-type: none">• Up to 800 square feet.• In a dwelling unit, attached or detached garage or a single out-building• Up to 500 sq. ft. of outdoor storage• No more than one employee• No signage• 8 or less average daily trips (includes customers)	<ul style="list-style-type: none">• Up to 1200 square feet.• In a dwelling unit, attached or detached garage or a single out-building• Up to 1,000 sq. ft. of outdoor storage• Up to two employees• One sign allowed• 24 or less average daily trips (includes customers)

Standards for other uses with administrative approval tracks

- Bed and breakfast (administrative approval via AgPlus Ch. 66)
- Special event (Ch. 73)
- Telecommunications facility (Ch. 73)
 - not a substantial change
 - facilities using existing structures

Improved clarity and predictability for manufactured homes and tiny homes parks and subdivisions (73-15)

- Uses
- Accessory structures
- Clear standards for permanent foundation and skirting
- Dimensional standards
- Road/street standards
- Parking
- Landscaping
- Wildlife protection

Improved clarity and predictability for unique land uses (Ch. 73)

- Campgrounds/RV parks
- Commercial shooting range
- Gravel, sand, topsoil, mineral extraction operations
- Marijuana facilities
- Recycling, salvage, junk yard
- Sexually oriented businesses
- Small scale solar
- Temporary uses

Standards for Compatibility

Chapter 70



Compatibility assessment standards (minor and major land use permits) 70-5

- Compatibility criteria
 - General conformance with comprehensive and district plan(s)
 - Appropriate densities and uses
 - Avoidance of unmitigated nuisance conditions
 - Pollution control practices and permits
 - Maintenance of existing character
 - Adequate provision of services
 - Natural environment and resources

Compatibility assessment standards (minor and major land use permits) 70-5

- Written mitigation measures for eleven types of constraints

Selection from Table 70-5 Development constraints and possible mitigation measures

Type Of Constraint	Public Health And Safety Concerns	Mitigation Measures
FLOODWAY	Flood hazards to structures Public health, safety, welfare	a. Compliance with County floodplain regulations (see chapter 78)
GEOLOGIC HAZARD AREAS	Avalanche paths Landslide areas Rock falls Debris flows Mudflows Unstable slopes or soils Seismic effects Ground subsidence Radioactivity	a. Avoid placing any structures on areas subject to geologic hazards b. Submit geotechnical report identifying hazards and recommending methods of construction to alleviate hazards; designing structures in accordance with recommendations contained in geotechnical report -(see section 70-8) c. Provide grading and foundation plans prepared by a registered -professional engineer (see section 70-9) d. Comply with recommendations of the State Geologic Survey (see section 70-8) e. Modify land uses so that structures are minimized or eliminated f. Cluster development to avoid hazard areas

New Tools for Development



Economic Development Areas (Ch. 65-5)

- Administrative permits for commercial, industrial and mixed use that are major or minor permits
- Designating and EDA is a major land use permit
- Designation can be initiated by property owner(s) or the county, requires planning commission and BOCC review/approval
- Considerations: infrastructure, public services, general compliance with district and comprehensive plan, impacts on environment, suitability
- Gem Village is a pre-existing EDA.

AgPlus (Ch. 66)

Uses by Right

- Farming and ranching

AgPlus Uses by Right

- Agricultural research facility
- Accessory rural occupation or home occupation
- Equine or llama activities
- Grain storage facilities
- Small scale processing facility
- Direct market business/community supported agriculture
- Farm machinery repair

Administrative Land Use Permit

- Farm stand selling agricultural products produced off-site
- Wineries, cideries and distilleries
- Sale rooms of products grown on site
- Agritourism enterprise
- Bed and breakfast facilities
- Public livestock or farm implement auction
- Family child care home or State licensed child care center
- Assisted living residence
- Veterans assistance programs

Administrative Land Use Permit



Clustered rural subdivision (67-7)

- Cluster rural subdivision (by minor land use permit)
 - On 70+ acres (can be multiple contiguous parcels)
 - 2/3 of total acreage remains undeveloped or as agriculture
 - Density of 1 lot per 17.5 acres concentrated on 1/3 of total acreage



Planned Unit Development (Ch. 68)

- Creates a custom zone district with its own standards and uses
- Encourage innovation and flexibility and facilitate a mix of uses
- Create high quality residential, mixed-use, commercial or industrial development
- Allow greater flexibility in project design in return for greater development quality, amenities, public benefit and protection of nearby properties

Next Steps for Additional Input

- Attend another workshop!
- Additional comments are welcome and encouraged!
- Email: **NewCode@co.laplata.co.us**
- Project website: **https://bit.ly/LPC_LUC**

