

La Plata County New Land Use Code

Community Workshop #3

Significant Development Projects

June 9 or June 10, 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
 - 30 min – Content Presentation
 - 45 min – Facilitated Discussion
 - 5 min – 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



Community Workshop Schedule

Day to Day Life
and Business

Tu, May 26
6 –7:30pm

W, May 27
11:30am–1pm

Support for
Agriculture,
Business, and
Housing

Tu, June 2
6 –7:30pm

W, June 3
11:30am–1pm

Significant
Development:
Commercial,
Industrial,
Subdivisions

Tu, June 9
6 –7:30pm

W, June 10
11:30am – pm

Opportunities for
Citizen
Involvement in
Planning, Animas
Valley Zoning

Tu, June 16
6 –7:30pm

W, June 17
11:30am–1pm

Community Workshop Schedule

#1: Day to Day Life and Business	#2: Support for Agriculture, Business, and Housing	#3: More Significant Development Projects: Commercial, Industrial, Subdivisions	#4: Opportunities for Citizen Involvement in Planning, Animas Valley Zoning
<p>Portions of the draft code that pertain to day to day residential, agricultural and existing business. List uses, characterize standards and procedures, articulate the public purpose and protections accomplished with the regulations.</p>	<p><i>Agricultural</i> includes Ag plus, exemptions, Right to Farm, protections for irrigation infrastructure. <i>Housing</i> includes additional dwelling units, manufactured and tiny homes. <i>Business</i> includes accessory uses and economic development areas.</p>	<p>Includes sketch plans and compatibility, minor and major development permits, planned unit developments, subdivision, and manufactured and tiny home developments.</p>	<p>Opportunities for Citizen Involvement in Planning, Animas Valley Zoning</p>
<p>Tu, May 26: 6 pm – 7:30 pm W, May 27: 11:30 am – 1 pm</p>	<p>Tu, June 2: 6 pm – 7:30 pm W, June 3: 11:30 am – 1 pm</p>	<p>Tu, June 9: 6 pm – 7:30 pm W, June 10: 11:30 am– 1 pm</p>	<p>Tu, June 16: 6 pm – 7:30 pm W, June 17: 11:30 am– 1 pm</p>

New Land Use Code

More Significant Development Projects: Commercial, Industrial, Subdivisions
Covering Portions of Chapters 66, 67, 68, 73



Minor Land Use Permit Procedures 66-20

Overview of Minor Land Use

Step 1: Pre-Application

Step 2: Application Submittal

Step 3: Public Notice

Step 4: Application Review

Step 5: Neighborhood Meeting (if needed)

Step 6: Staff Report

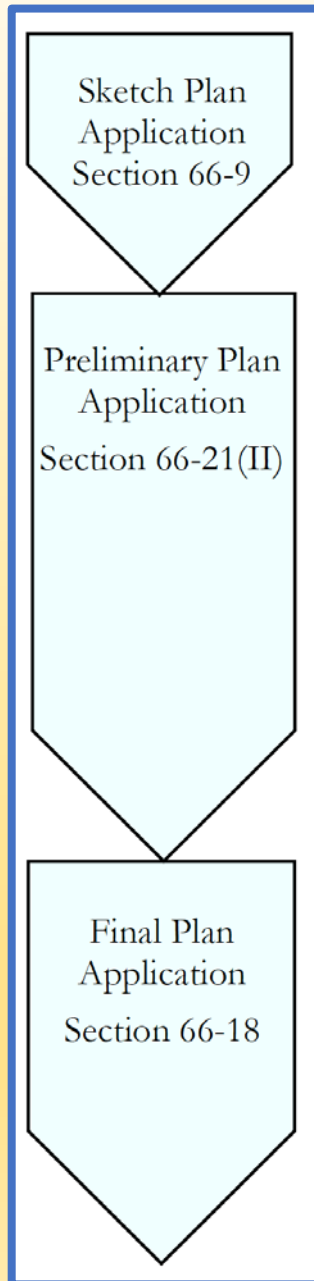
Step 7: Public Notice

Step 8: Planning Commission Decision



Major Land Use Permit Procedures 66-21

Overview of Major Land Use



Sketch Plan:

- **One Hearing - Planning Commission**
- **Determine Compatibility at Front of Process**
- **May Include Phasing Plan**

Preliminary Plan:

- **One Hearing – BOCC**
- **Review of Technical Details and Engineering**
- **May be Combined with Final Plan**
- **Preliminary Plan may Include Future Phases**

Final Plan:

- **Administrative - Planning Director**
- **Final Details and Plans for Construction**
- **Final Plans for Future Phases Covered under Preliminary Plan**

Commercial/Industrial Thresholds for Minor vs. Major Land Use Permits

Minor Land Use Permit (66-6)	Major Land Use Permit (66-7)
10,000 ft ² of floor area or less, <i>and</i> 3 acres or less of land disturbance, <i>and</i> domestic water demand of 1,050 gals/day or less, <i>and</i> 5% or less increase in traffic on public roads	Over 10,000 ft ² of floor area <i>or</i> over 3 acres of land disturbance <i>or</i> domestic water demand over 1,050 gals/day <i>or</i> more than 5% increase in traffic on public roads
No minor permit track	Gravel, sand, topsoil and mineral extraction
No minor permit track	Recycling facility, salvage yard and junk yard
No minor permit track	Campgrounds and recreational vehicle parks
No minor permit track	Marijuana facilities
No minor permit track	Event venues
No minor permit track	Telecommunications facilities, new structures
No minor permit track	Commercial outdoor shooting range
No minor permit track	Commercial outdoor storage and sales
No minor permit track	Aggregate processing and asphalt plants
	See 66-7 for other such uses

Residential Development Thresholds for Minor vs. Major Land Use Permits

Minor Land Use Permit (66-6)	Major Land Use Permit (66-7)
Minor subdivisions (up to 3 lots)	Major subdivisions (4 or more lots)
Duplex or triplex	Multi-family attached 4 units or more
Third single family residences on a lot/parcel	Four+ single family residences on a lot/parcel
Minor Land Use Permit commercial & 3 dwellings	Minor Land Use Permit commercial & 4+ dwellings
No minor permit track	Planned Unit Development
No minor permit track	Manufactured Home Park or Subdivision
No minor permit track	Tiny Home Community

Standards of Review

Minor and Major Land Use Permits



General Approval Criteria (66-16)

- Consistency with review agency comments
- Consistent with prior approvals
- No significant adverse impacts on surrounding property
- Conformance with adopted plans
- Uses and density in general conformance with district plan.
- As applicable:
 - Rational phasing plan.
 - Consistent with intergovernmental agreements.
 - Compliance with applicable State and Federal Law

Compatibility assessment standards 70-5

Applies to minor and major land use permits

- 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)

- 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	a. Compliance with County floodplain regulations (see chapter 78)
	Public health, safety, welfare	
GEOLOGIC HAZARD AREAS	Avalanche paths	a. Avoid placing any structures on areas subject to geologic hazards
	Landslide areas	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)
	Rock falls	
	Debris flows	
	Mudflows	
	Unstable slopes or soils	
	Seismic effects	c. Provide grading and foundation plans prepared by a registered -professional engineer (see section 70-9)
	Ground subsidence	d. Comply with recommendations of the State Geologic Survey (see section 70-8)
	Radioactivity	e. Modify land uses so that structures are minimized or eliminated
		f. Cluster development to avoid hazard areas

Standards for specific uses (Chapter 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
- Reserved (unwritten) section for short-term-rentals/vacation rentals

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

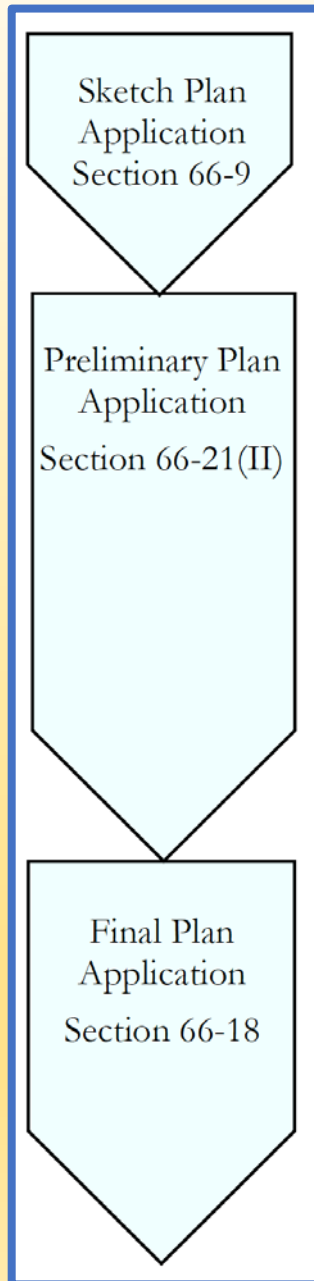
- Uses
- Dimensional standards
- Road/street standards
- Parking
- Landscaping
- Accessory structures
- Clear standards for permanent foundation and skirting
- Wildlife protection

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
- Opportunity to 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

Major Land Use Permit 66-21

Overview of Major Land Use



Sketch Plan:

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Purpose of Sketch Plan 66-19

- Evaluate concept, basic design and suitability
- Ability of project to comply with land use code
- General conformance with comprehensive and district plan(s)
- Consider alternative approaches to developing a property
- Evaluate compatibility

Sketch Plan Submittal Requirements 66-19

- Conceptual drawing(s) and narrative, not detailed, not engineered
- Show uses, intensity, density
- Conceptual layout
- Phasing

Sketch Plan Review Considerations 66-19

- Types of use
- Locations intended for development, undeveloped areas/open space
- Compatibility with the existing uses of adjacent properties
- Compatibility with the natural environment, natural hazards
- General conformance with district plan and comprehensive plan
- Phasing
- Infrastructure or other improvements
- Access
- Adequate water supply
- Sewage treatment

Multi-Phased Projects (Ch. 66)

Example: Commercial Mini-Storage Project to be Developed in 3 Phases

CURRENT CODE

Conceptual Development Plan:	PC & BOCC – 2 Hearings
Phase 1 - Class II Land Use Permit:	PC & BOCC – 2 Hearings
Phase 2 - Class II Land Use Permit:	PC & BOCC – 2 Hearings
Phase 3 - Class II Land Use Permit:	<u>PC & BOCC – 2 Hearings</u>
Total:	8 Hearings

NEW CODE

Sketch Plan with Phasing Plan:	PC	– 1 Hearing
Preliminary Plan + Final Plan Phase 1:	BOCC	– 1 Hearing
Phase 2 – Final Plan:	Admin	– No Hearing – Director Approval
Phase 3 – Final Plan:	<u>Admin</u>	<u>– No Hearing – Director Approval</u>
Total:		2 Hearings + 2 Administrative Reviews



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**
- Comment deadline for consideration in New Code Draft 2: **June 26**
- BOCC and Planning Commission meeting and listening sessions: **June 11 and June 18, 6PM**

